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Jason M. Schwier
Chair, Odenton Town Center Advisory Committee

January 2, 2025

Ms. Jenny Dempsey
Anne Arundel County Office of Planning and Zoning
2664 Riva Road, 4th Floor
Annapolis, MD 21401

Re: Comments on proposed Wawa #8563 at 1430 Annapolis Road

Dear Ms. Dempsey:

This letter constitutes a response by the Odenton Town Center Advisory Committee (OTCAC) to the request presented on December 10, 2024 regarding a new site layout and relief sought for the construction of a Wawa gas station and convenience store to be located at 1430 Annapolis Road in Odenton, MD. The OTCAC takes no exception to the eleven proposed modifications from requirements listed in the 2016 Odenton Town Center Master Plan (OTCMP). The Committee declined to hold an opinion on two modification requests relevant to the Landscaping Manual.

The Committee previously received a presentation about this development on November 28, 2023 and provided the County with a response letter for the project. Our response letter dated December 11, 2023 recommended the County consider relief from the foundation planting as part of the street frontage requirements, and requested that parking lot best management practices be incorporated for subsequent review by the OTCAC if further modifications were needed. Additionally, the OTCAC provided comments regarding the inclusion of numerous public comments over the years from proposed developments on this site and amenities such as inclusion of electric vehicle (EV) chargers, consideration of solar panels for the site, and a request that the developer identify how the proposed activity space at the intersection of Hale St and Nevada Ave would be used as a defined focal area in the OTCMP. The Committee continued to emphasize the importance of the inclusion of zero-emission power sources such as solar for projects within the Odenton Town Center. Lack of consideration or incorporation within any of the private developer proposals is a continued sticking point for the Committee.

The presentation outlined changes and modifications to the original proposal to construct a new automobile gasoline station with a convenience store. The overall geographic location, property bounds, mixed use category, regulatory block, and usage were unchanged from the November 2023 presentation. The site is located within the Core sub-area, Regulatory Block 3 of the Odenton Town Center and is classified for west core mix usage. Both the automobile gasoline station and convenience store are approved uses for this sub-area per the 2016 OTCMP.

The OTCAC recognized that the proposal outlined the complexity of this specific site and the challenges with making it both pedestrian and vehicle friendly. The Committee specifically noted that the move of the activity space to the corner of Baldwin Avenue and Hale Street was an improvement from the previous location of Nevada Avenue and Hale Street because this shift will better serve the community. The developer noted that the boring sample results required redesigning the stormwater management system and the proposed activity space enabled a more cohesive plan for the site to be accessible by both the 322 Baldwin and the Echelon at Odenton complexes. The OTCAC continued to encourage consideration of solar panels for this development and members were pleased to learn the tenant company was investigating if this is an option for their sites across the nation. The Committee reviewed the new renderings of the exterior façade and appreciated the slight changes that improved the attractiveness of the building. Lastly, the OTCAC was pleased to note that EV charging stations were still included in the design without any reduction in the number previously presented.

The presentation provided thirteen modifications grouped into five categories for ease of discussion. This letter follows the same convention.

1. County Specific Modification Request to Landscape Manual §V(B)(1)(d):

- Requirement for a 5’ sidewalk and 5’ planting strip
OTCAC Recommendation: No opinion
OTCAC Comment: Request is for a modification outside OTCAC scope.

2. County Specific Modification Request to Landscape Manual §V(D)(1):

- Requirement for 50% foundation planting
OTCAC Recommendation: No opinion
OTCAC Comment: Request is for a modification outside OTCAC scope.

3. Active Frontage Modification Request to OTCMP Chapter 4 §7.2.1:

- Relief from requirement to have front façades and primary pedestrian entrances be oriented to face abutting the street that is most designated for pedestrian activities and that serves as the main pedestrian entrance within the site or as the primary connection to the site.
OTCAC Recommendation: Approve modification for primary entrances to focus attention on the Baldwin Ave activity space and the canopy.
OTCAC Reasoning: The activity space within the site was relocated to the intersection of Baldwin Ave and Hale St because the developer projects this to be the primary point of pedestrian entrance to the site. The previous location of the activity space was at the intersection of Nevada Ave and Hale St. The OTCAC accepted the reasoning of the proposal that the activity space was more likely to be used at the Baldwin Rd location due to: (1) proximity to 322 Baldwin, a neighboring high-density property; (2) proximity to Starbucks, a projected neighbor (see Project P2022-0014 00 NS); and (3) proximity to the building keeping people from transiting across the site parking lots.

4. Active Frontage Modification Request to OTCMP Chapter 4 §7.4.1.a:

- Relief from requirement to have commercial façades along at least 80 percent of the street frontage.

OTCAC Recommendation: Approve modification to have commercial façade along only Baldwin Ave.

OTCAC Reasoning: The OTCAC sustained its reasoning that was provided in our December 2023 letter under OTCMP Modification Request 2. The site is bordered by three active corridor roadways. The layout of this site, being only $\frac{3}{4}$ of the square created by the boundaries of Baldwin Ave to the east, Annapolis Rd to the south, and Nevada Ave to the west does not permit a feasible plan to create a building that meets this requirement of the OTCMP.

5. Active Frontage Modification Request to OTCMP Chapter 4 §7.4.3.a:

- Relief from requirement to have commercial ground floor façades that face active frontage corridor pathways to be transparent for at least 75 percent of the horizontal length of the building façade.

OTCAC Recommendation: Approve modification to have less than 75 percent of the horizontal length of the building façade facing the future Hale St connector and Nevada Ave only. Sustain the requirement to have 75 percent of the horizontal length of the building façade facing Annapolis Rd.

OTCAC Reasoning: Assuming the Hale St connector is constructed, this site will have three active frontage corridor pathways: Annapolis Rd, Nevada Ave, and Hale St. For this building type and the limitations of the site itself, it was not apparent to the OTCAC that having three sides of the building be at least 75 percent transparent was feasible.

6. Building Orientation Modification Request to OTCMP Chapter 4 §7.2.3:

- Relief from requirement to have buildings on corner sites to have their primary façades and primary pedestrian entrances facing the corner of streets with pedestrian activity.

OTCAC Recommendation: Approve modification to have entrances facing the primary means of use for the building: (1) entrance facing the activity space at the intersection of Baldwin Ave and Hale St; and (2) entrance facing the canopy.

OTCAC Reasoning: The proposal to have the entrances facing the portions of the site that are likely to have the most activity was apparent to the OTCAC. The location of the proposed activity space and lack of sidewalk along Annapolis Rd leads to primary pedestrian activity at the rear of the site, resulting in a facing entrance that logically makes sense. Additionally, the OTCAC recognized that standard practice for people using the site as a fueling station for their vehicles would likely enter the building from the canopy side.

7. Building Orientation Modification Request to OTCMP Chapter 4 §7.2.7:

- Relief from requirement to have the tallest buildings and/or tallest features of buildings to be placed at the corners of the blocks.

OTCAC Recommendation: Approve modification to have the activity space be placed at the corner of Baldwin Ave and Hale St versus the building.

OTCAC Reasoning: The proposal to have the building not be located at the corner of the site enables the activity space to be located at the corner instead. This has the effect of putting a pedestrian activity space at the closest point to the neighboring apartment complex (322 Baldwin) versus a building, hopefully encouraging pedestrian traffic to the site. Additionally, the OTCAC recognized that the placement of the building along

Baldwin Ave as logical. This location within the site set an appropriate walking distance for individuals walking from their vehicles at the canopy.

8. Building Orientation Modification Request to OTCMP Chapter 4 §10.1.4.3.b:

- Relief from requirement to have buildings on corner lots abutting primary street intersections to have a customer entrance at the corner facing the intersection.
OTCAC Recommendation: Approve modification to have entrances on the horizontal facings of the building versus the corners of the building.
OTCAC Reasoning: The proposal to have the entrances be on the horizontal facings enables the entrances to be optimally located for pedestrian access to the activity space at the rear of the site and for individuals walking from their vehicles at the canopy. Placement of the entrances at the corners of the building does not align the entrances with the paths of likely use.

9. Maximum Setback Modification Request to OTCMP Chapter 3 §5.3.1:

- Relief from requirement of 45-foot maximum building setback from Annapolis Rd.
- Relief from requirement of 20-foot maximum building setback from Hale St.
- Relief from requirement of 20-foot maximum building setback from Nevada Ave.
OTCAC Recommendation: Approve modification to enable building to be placed along Baldwin Ave with appropriate distance from Annapolis Rd, Hale St, and Nevada Ave to enable the canopy, parking lot, and activity space.
OTCAC Reasoning: The developer presented this modification request to the OTCAC during the presentation in November 2023. The Committee sustained its previous recommendation of approval at the December 2024 meeting with the recognition that it is not feasible for the developer to meet the setbacks of all four bordering roads (see the December 11, 2023 letter, OTCMP Modification Request 2).

10. Parking Modification Request to OTCMP Chapter 4 §4.2.2:

- Relief from requirement to not have surface parking lots be placed between a building and a public street or a major site entrance, nor be placed at lot corners abutting street intersections.
OTCAC Recommendation: Approve modification to permit parking lot to be placed between a building and a public street and enable parking to abut street intersections.
OTCAC Reasoning: The OTCAC recognized that the size of the site with borders of three roads and all four corners of the block abutting street intersections makes compliance with this requirement infeasible. In addition, when this requirement is considered in conjunction with further requirements within Chapter 4 §4.2, at least one modification for parking will likely be necessary because the OTCAC does not see how it is physically possible for development on the site to meet all requirements.

11. Parking Modification Request to OTCMP Chapter 4 §4.2.8:

- Relief from requirement to not have parking lots abutting OTC Grid Streets.
OTCAC Recommendation: Approve modification to permit parking lot to abut Hale St and Nevada Ave.
OTCAC Reasoning: The site is bordered by Baldwin Ave, Annapolis Rd, Nevada Ave, and a projected Hale St connector, the latter two of which are OTC Grid streets. Given

the location of the building, canopy, and activity space, the OTCAC recognized that the required number of parking spaces would only be possible if placed abutting at least one of the OTC Grid Streets. As discussed previously for the modification of Chapter 4 §4.2.2, at least one modification will likely be necessary because the OTCAC does not see how it is physically possible for development on the site to meet this requirement in conjunction with all other requirements in Chapter 4 §4.2.

12. Parking Modification Request to OTCMP Chapter 4 §4.2.9:

- Relief from requirement to have parking lot be placed behind buildings to have parking be visible screened by the building or be placed beside the building to have the shortest dimension along the roadway and not exceed the length of the building façade against the roadway.

OTCAC Recommendation: Approve modification to permit parking lot to be visible from one or more of Annapolis Rd, Hale St, and Nevada Ave.

OTCAC Reasoning: Based upon the site being $\frac{3}{4}$ of the block bordered by three roads and a future projected road on the fourth side, the OTCAC does not see how it is possible for a parking lot to be completely screened from all roads unless unique construction, such as a torus shaped building, is constructed. For the proposed use, this solution is not feasible due to the limitations of the site itself. As discussed previously for the modification of Chapter 4 §4.2.2 and §4.2.8, at least one modification will likely be necessary because the OTCAC does not see how it is physically possible for development on the site to meet this requirement in conjunction with all other requirements in Chapter 4 §4.2.

13. Parking Modification Request to OTCMP Chapter 4 §10.1.2.3:

- Relief from requirement to have parking in the interior of the block and have the building ring the parking area on at least two sides of the blocks. Relief from requirement to not have parking area abut Hale St.

OTCAC Recommendation: Approve modification to permit a surface parking lot without being ringed by the building and permit the parking lot to abut Hale St.

OTCAC Reasoning: As discussed previously for the modification for Chapter 4 §4.2.9, the site is $\frac{3}{4}$ of the block. In order to have a meaningful activity space in the zone likely to receive the highest pedestrian foot traffic and meet the requirement for a building to exist on two sides of the block, site accessibility would be dramatically impeded and modifications to Chapter 4 §4.2 would still likely be required. The OTCAC recognized that an effect of having a meaningful activity space at the corner of Baldwin Ave and Hale St required the placement of the parking lot to abut the projected Hale St connector. The proposal includes landscaping to try and create a barrier between the projected Hale St connector and the parking lot, but the developer recognized the desire of the OTCMP to promote walkability and reachability from the Echelon at Odenton community.

To offset the above modification requests, the developer proposed six proffers.

Proffer 1: Site landscaping will consist of at least 50% native plant species (Chapter 6 §3.2.2)

OTCAC Comment: The OTCAC often receives public comments indicating that the community encourages developers to use native plant species. As usage of native plant species is a relatively simple choice and desired by the community, the OTCAC recommends acceptance of this proffer.

Proffer 2: At least 50% of trees will be 2.5” or greater

OTCAC Comment: The developer indicated that this proffer was implementation of Chapter 6 §3.2.9, which states the proffer must “exceed the surface parking lot landscaping standards of the County Landscaping Manual.” Members of the OTCAC are not experts in interpreting the Landscaping Manual, but Chapter V.B. Guidelines bullet 5 indicates that a minimum of 50% of the planting units should be major trees. If “major trees” refers to “major shade trees” (see Appendix A, definition “shade tree”), height at full maturity must be at least 70 feet. Appendix C.3. defines “deciduous shade trees” to have a size of 2-2.5”. Combining all of these points from the Manual and the text of the proffer indicates that the developer intends to have, at minimum inclusive, 50% of the planting units be of sufficient size to have the trees be major shade trees at full maturity, which appears to be equivalent to the guideline specified in Landscape Manual Chapter V.B and is the minimum acceptable value for the number of trees. Review of the size of the trees being at the upper end of deciduous shade trees requires an arborist, of which members of the OTCAC are not, for the determination of “at least 50% of trees.” Therefore, given that the common definition of “exceeds” is to be greater than a value, the OTCAC cannot state that the definition of “exceeds” within OTCMP Chapter 6 §3.2.9 is met. If the developer revises this proffer to indicate a proportion above and not equal to 50% of the trees with a diameter greater than 2.5”, then the Committee would assert the definition of “exceeds” within the OTCMP is met. The OTCAC recommends the County have an arborist review to determine if the proffer for the size of the trees is appropriate and an indication of exceeding the Landscaping Manual.

Proffer 3: Green area exceeds 10% of the gross site area (Chapter 6 §3.2.3)

OTCAC Comment: Due to the site being located within the core, the requirement for the proffer is for the green area to exceed 5% of the gross site area. The proposal states that 24.6% of the site is provided as green area, which meets the intent of the proffer. The OTCAC does note, however, that this proffer was discussed in November 2023 but did not indicate that green area provided was almost 2.5x more than required (see the December 11, 2023 letter, OTCMP Modification Request 1).

Proffer 4: Activity space exceeds requirements by 994 sq. ft. (Chapter 6 §3.4.1)

OTCAC Comment: The diagrams shown to the OTCAC highlighted the fact that the primary activity space would move to the corner of Baldwin Ave and Hale St. The pedestrian space at Hale St and Nevada Ave would be reduced in size but would still at a minimum contain a bench, which is a form of activity space listed as a focal feature in Chapter 4 §10.1.3.3. This focal feature does provide a pedestrian point for the site that is close to the Echelon at Odenton to encourage pedestrian foot traffic. The OTCAC recommends acceptance of this proffer.

Proffer 5: Art panels to be placed on building façades of Hale St and Annapolis Rd (Chapter 6 §3.4.2)

OTCAC Comment: Art is planned to be located on the building facing Annapolis Rd and Hale St. The Committee asked about art placement along Baldwin Ave and was informed by the presenter that this would cause the building façade to be cluttered. Members of the OTCAC are not experts in exterior design and therefore defers evaluation of this answer about art on Baldwin Ave to the County. Art placement on the building façades that contain the entrances of the building will cause the public to have full visibility of the art, and as such, the OTCAC recommends acceptance of this proffer. The OTCAC has discussed art work in its meetings and interprets this requirement to be artistic works that provide cultural or social relevance to the Odenton community (see OTCMP Chapter 2 §1.0 Goal 1). Through its discussion in other meetings, the Committee does not interpret art work to be advertisements or graphics depicting specific businesses, merchandise, corporate logos, or other company related information.

Proffer 6: Pedestrian area provided at intersection of Hale St and Baldwin Ave (Chapter 6 §3.4.1)

OTCAC Comment: With the move of the primary activity space to the intersection of Hale St and Baldwin Ave, this Proffer is already accounted for as Proffer 4. Members of the OTCAC are not experts in interpretation of the specifics of what the County deems an activity space to be but suggests that the developer could provide an argument that this pedestrian area / activity space proffer is provided at the intersection of Hale St and Nevada Ave, if that area is not included in the activity space calculation for Proffer 4.

One item mentioned by the developer is to build a sidewalk on the projected Hale St connector to provide walkability across the site. The OTCAC recognizes that the OTCMP intends to make the Odenton core a more walkable and pedestrian-friendly community (see OTCMP Chapter 2 §2.2.2 and §2.2.8). Such a sidewalk would connect the activity space at Baldwin/Hale with the focal area at Nevada/Hale and enable 322 Baldwin residents and Echelon at Odenton residents to cross the area without having to walk through the parking lots of the site.

In summary, the OTCAC takes no exception to the requested modifications with the accounted for proffers. Committee members appreciate the opportunity to participate in the development process. Please let us know if you need further information or have questions.

Sincerely,



Jason M. Schwier, Chair
Odenton Town Center Advisory Committee