



Stephanie Rawlings-Blake  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

August 5, 2010

#### REQUESTS:

- City Council Bill #10-0488/ Planned Unit Development - Designation – 25th Street Station
- Subdivision and Development- 25<sup>TH</sup> Street Station PUD -Lot 001 of Block 3625, Lots 011 and 013 of Block 3626A, and Lots 001, 002, 003, 004, and 005 of Block 3626C
- Street Closing/ Portions of Ware Street & Hampden Avenue

#### RECOMMENDATIONS:

- City Council Bill #10-0488/ Planned Unit Development - Designation – 25th Street Station: Approval with amendments (*See "Legislative Text Amendments", pg 12 of this report*)
- Subdivision and Development- 25<sup>TH</sup> Street Station PUD -Lot 001 of Block 3625, Lots 011 and 013 of Block 3626A, and Lots 001, 002, 003, 004, and 005 of Block 3626C: Approval, subject to comments from the Department of General Services
- Street Closing/ Portions of Ware Street & Hampden Avenue: Approval, subject to compliance with the Department of General Services requirements

**STAFF:** Anthony Cataldo

**OWNER:** Multiple Owners

**PETITIONER:** WV Urban Developments LLC

#### SITE/ GENERAL AREA

General Area: The 25<sup>th</sup> Street Station proposed project area is located in North Baltimore within the Remington and Charles Village neighborhoods. The site is approximately 14.2 acres which includes rights-of-ways. The proposed built development area is 11.5 acres. The existing zoning is mixed with B-2-3, B-3-3, and M-2-2. The proposed development is not located within a designated Urban Renewal area, is not within a designated Historic District, is not located within the Chesapeake Bay Critical Area, and is not located within the 100-year FEMA flood plain. The project site is located within an Enterprise Zone Focus Area. The CSX tracks and railroad Right-of-way borders the west side of the site, Huntingdon and 25<sup>th</sup> Street border the north side, Maryland Avenue borders the east side and 24<sup>th</sup> Street and Sisson border south side of the site. Howard Street bisects the site creating two main development parcels.

Site Conditions: The site is a series of parcels in the Remington and Charles Village communities which is currently being used as a General Motors/ Honda Dealership, showroom, car lot, and associated structures as well as other light industrial uses. General Motors is closing this location and the Honda dealership is moving therefore leaving much of the site vacant.

## **HISTORY**

There have been no previous Planning Commission actions related to this specific project.

## **CONFORMITY TO PLANS**

This project is consistent with the Baltimore City Comprehensive Master Plan: LIVE Section, Goal 1, Objective 1: Expand Housing Choice for all Residents, Goal 1, Objective 5: Increase the City's Population by 10,000 Households in 6 years, and PLAY Section, Goal 2, Objective 2: Promote Unique Retail Venues as Shopping and Tourist Destinations. The 25<sup>th</sup> Street Station development plan calls for approximately 70-80 residential units mixed with 337,568 square feet of mixed sized retail.

## **ANALYSIS**

The 25<sup>th</sup> Street Station project is to be developed and owned by WV Urban Developments, LLC. It is a mixed use, residential and commercial development project with a variety of potential commercial uses. The development plan allocates space for modified large box retailers, mid-sized retailers, and smaller, neighborhood commercial spaces. Parking structures consolidate the required parking fields near and within buildings. The development is planned to be constructed in one phase and will return to the Planning Commission for final design approval at a future date.

There are multiple actions needed in order for the 25<sup>th</sup> Street Station project to be constructed. The applicant is proposing three items in order to implement the development of this mixed-use project. These include street closings, final subdivision and development plan, and designation of the Planned Unit Development (PUD).

The street closing item will close two remaining portions of right-of-way that extend into the site from the adjacent roadways, therefore making way for all the new entrances and building alignments. The subdivision and development plan creates the three parcels within the development; the east parcel, the west parcel, and a parcel of land containing the CSX rail line. City Council Bill #10-0488 designates 25<sup>th</sup> Street Station as a PUD with its corresponding plans. This development calls for retail floor area of approximately 337,568 square feet and 70-80 apartment units. The master plan has been approved by UDARP and the development incorporates a variety of sustainable initiatives within the site plan.

## **City Council Bill #10-488/ Planned Unit Development - Designation- 25<sup>th</sup> Street Station**

For the purpose of approving the application of WV Baltimore-24/Sisson LLC and WV Baltimore H 25 LLC (collectively, the "Applicant"), contract purchaser(s) and/or potential owner(s) of certain properties listed on Exhibit 1, attached to and made part of this Ordinance

(collectively, the "Property"), to have the Property designated a Business and Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

- Project: The purpose of this bill is to designate this area as a Business and Industrial Planned Unit Development (PUD). The goal of this project is to create a unitary plan for a mixed-use development in northern Baltimore City. The integral initiative of the development is to develop a pedestrian and transit-oriented development that provides people the ability to connect through the neighborhood to surrounding communities and tie into existing and future alternative transit options. The proposed PUD development plan successfully addresses the urban design goals identified through the Planning process:
  - Establish a clear rationale for which street frontages are considered important to activate and which are less important and may accommodate secondary frontages;
  - Establish project identification features at key pedestrian and vehicular entrances;
  - Create open spaces that benefit adjacent uses and pedestrian activity;
  - To the best extent possible, limit the public visibility of parking and loading areas and effectively screen those that are visible;
  - Integrate and connect pedestrian and vehicular circulation with the existing neighborhood pattern;
  - Relate the scale and architectural character of the project with adjacent communities
  - Incorporate a “green attitude” to the site in general and to parking areas and streetscape specifically – Landscaping and trees should be utilized to the best extent possible;
  - Consider increasing the number of residential units to create a truly mixed-use project.

In addition to the goals listed, the PUD incorporates many additional environmental features within the site design.

- Land Use: The existing zoning through the entire site is divided between B-2-3, B-3-3, and M-2-2. The B-2-3 zoning is located along the Maryland Avenue frontage and encompasses roughly 2/3 of the east parcel. The balance of that parcel is B-3-3 which also extends across the street to roughly the intersection of Huntingdon Avenue and 25<sup>th</sup> Street. From that point west to the railroad tracks, the existing site zoning is M-2-2. Overall, the proposed PUD area is divided roughly in half as a Business Zoning District and an Industrial Zoning District. The zoning code links the type of PUD to its underlying zoning and because of this split in zoning, the project is listed as an Industrial and Business PUD speaking to both underlying zoning designations.

The proposed uses for this PUD are those uses that are permitted within the B-2 zoning district, with the addition and exception of specific uses that are listed as prohibited in the proposed PUD text legislation.

- Development Density: The current development plan drawing proposes approximately 70-80 apartment units (+/- 78,310 square feet) and 337,568 square feet of retail space. The underlying B-2-3, B-3-3, and M-2-2 zoning and the PUD would allow up to 2,456,003 square feet of total development, with a maximum allowable density of 315 units. This total allowable unit count was determined by calculating the total area by zoning district on the property and multiplying that by the allowed units by acre. The totals of all districts of the site were then added together. The square foot development potential of the site was calculated in a similar manner. It is clear that the proposed development is substantially less than the underlying zoning districts would permit.
- Development Plan: The development proposal seeks to remove all of the existing structures on site except for a portion of the 2-story brick and concrete building at the southeast corner of Howard and 25<sup>th</sup> Street and the existing 2-story concrete building at the southwest most corner of Howard and 25<sup>th</sup> Street. The remaining structures and majority of the existing on site paving will all be razed in preparation for the new development. The Development Plan is organized in a manner that retains the existing urban street fabric where possible and places major and secondary vehicular access points in locations that allow for visibility and safe traffic movements. The east parcel has 3 main entrances; one off Howard Street into the main parking field, one on 25<sup>th</sup> Street adjacent to the re-designed existing retail building, and one off of Maryland Avenue that travels through the proposed building at grade to lead you into the parking area.

The main entrance to the upper level of the west parcel is located at the intersection of 25<sup>th</sup> Street and Huntingdon Avenue. It begins at grade and slightly ramps up as it becomes structure for parking below to meet the corner of the proposed building. The proposed retail building here at the entrance along Huntingdon Avenue incorporates an arched façade with adjacent plaza space and an inviting feature into the site. Structure mimicking this arch and plaza space is proposed for the other side of the entrance drive to act, together, as a gateway feature. There is a secondary entrance point west on Huntingdon adjacent to a proposed new retail building. The main entrance to the lower level retail space on the west parcel is located off of 24<sup>th</sup> Street just east of the intersection of 24<sup>th</sup> Street and Hampden Avenue. There is a secondary access point near the intersection of Huntingdon Avenue and 24<sup>th</sup> Street.

The residential component of the plan is located along Maryland Avenue, above the proposed retail at street level. The retail envisioned for the ground level of this building as well as the remodeled Honda Showroom and the new building along Huntingdon Avenue, is of a smaller, more neighborhood commercial scale. Mid-sized box retailers are envisioned along the south side of the east parcel with their entrances facing the center parking field, enclosed loading accessed off of 24<sup>th</sup> Street and structured parking above the retail for customers and to serve the apartments which are attached at the upper levels.

The Honda dealership building that is being retained will be remodeled and will include an addition to the east side of the building to bring the structure closer to the street

corner and allow additional retail opportunities. This area of the project essentially functions as an out parcel because it is separated from the rest of the western parcel by a severe grade change and the existing storage building that is not included in the PUD area. It is proposed to have a right-in right-out entrance on 25<sup>th</sup> Street and an additional access point on Howard Street to serve the future retail and circulation needs.

The large retail box stores were considered for a variety of locations and arrangements within the project site. This urban model of large retail structures consists of two individual retailers stacked one on top of the other with their associated parking structured adjacent to the fronts of the stores. The resultant organization allows for the maximum circulation through the site and locates as much of the loading and back sides of the large buildings as possible in areas that are shielded from adjacent users. The back of the buildings are located adjacent to the CSX railroad tracks, the upper level retailer's loading area is enclosed and located behind the new retail building on Huntingdon Avenue, and the lower level retailer's loading is located adjacent to the CSX railroad tracks and at a grade lower than the existing Sisson Street bridge and portion of 24<sup>th</sup> Street. With existing rowhomes located nearest to this loading area, decorative screening walls and landscaping are being proposed to shield the view into this area as well as substantial landscaping along the southern edge of the parking structure to screen its view as well.

Slightly taller 'tower-like' features are proposed throughout the site to act as both functional architectural elements, ie. egress stairs and elevator shafts, as well as signage structures. Typically located at corners of buildings, these features incorporate signage elements in a more organized and urban way, rather than commercial pole signs visually cluttering the development.

Staff is recommending amendments to the drawings listed in the PUD legislation which replaces the original nine drawings dated April 15, 2010, with six updated drawings dated July 29, 2010. The new drawings reflect the changes that have been made to the development plan since the City Council Bill's introduction. These changes are the result of meetings with the development team, City agencies and community groups. The changes do not affect the integrity of the UDARP approved master plan; in fact, it creates a more comprehensive development plan that can be implemented.

- Landscape Plan: The development is required to provide 160 trees at 2.5 inch caliper for Forest Conservation and 79.7 inches of caliper to replace public trees that are going to be removed for construction (27 trees at 3 inch caliper area acceptable for the public tree replacement). The development plan proposes to exceed the requirement with 164, final placement of which will be part of the final design approval by the Planning Commission. This project will meet applicable storm water regulations and will use a variety of methods to address water quality and quantity. It also plans to meet or exceed dark sky compliance throughout the project site with pedestrian scaled street lighting and full cut-off parking field lighting.

Included in the development package is a Landscape and Forest Conservation Plan which details the many features that the applicant is planning to construct both on and off site. There are two major public plaza spaces, one is located at the entrance drive to the western parcel at the intersection of Huntingdon Avenue and 25<sup>th</sup> Street, the other is between the GM Showroom building and the retail/residential building along Maryland Avenue. The first plaza is part of the gateway experience and will have special paving and large raised planters adding seasonal color and interest. Flanking both sides of the entrance drive are large, raised tree planters. Because this area is part of the ramp up to structured parking below, trees need to be in planters to sustain life. On the east side of the entrance ramp, the structure will be designed to incorporate a planting area that will appear to be at grade, but will technically be structured. All of the bump-outs in this area are also planted.

The second major plaza space is designed to interact with the future retail user of the adjacent building at the corner of 25<sup>th</sup> Street and Maryland Avenue, but also includes ample space for public gathering. Special paving, trees, and bio-retention planted areas offer aesthetic and storm water benefits to the project. The planting scheme throughout the development is to use native Maryland plants and grasses, not to include turf grass. The trees in planters continue along the north and eastern facades of the upper level retail building as well as within the top level of the parking structure. Where feasible, additional planting beds are incorporated into the top level of the parking structure.

Street trees are included along the perimeter of the PUD area as well as infill and key locations across the streets within the communities. Each tree pit will be 6'x10' which allows ample room for the trees to mature into large shade trees. The parking field on the east parcel is designed to have stormwater bio-swales between each aisle of parking reducing the heat island effect, allowing stormwater capture, and visually breaking up the asphalt parking lot. Plantings and a low wall along Howard Street will screen the parking area. The landscape treatment along the southern façade of the structured parking on the west parcel will also screen the garage and allow stormwater capture on site. The 20' area will be planted with a double allee of alternating trees with the pedestrian walkway located between them and away from the curb. The south side of 24<sup>th</sup> street will also be treated with a planting strip with street trees and the trees and a wall extend up Sisson Street to add to the overall streetscaping and also to shield the view down into the loading area.

The development team attempted to retain the existing former church structure at the corner of 24<sup>th</sup> Street and Sisson Street, however, the existing condition of the structure which is currently being used by the Hampshire Company as a storage/vehicle service building for their construction company, as well as its proximity to the street and the grading required for the rest of the site, made it infeasible to retain. If left standing, the structure would be located in the 30' free and clear access easement required by CSX to the railroad. It would also be located +/- 8 feet above the finish entrance grade off of 24<sup>th</sup> Street into the site, which would compromise its structural integrity and aesthetic. The plan proposes to reuse as much as the stone as possible and designs are currently being worked on to do that in decorative walls and fencing.

- Design Review & Approvals: The PUD Master Plan received approval with comments of the Urban Design and Architectural Review Panel (UDARP) on March 25, 2010 and received approval by Site Plan Review Committee (SPRC) on August 2, 2010. The UDARP helped improve the projects connectivity to the surrounding communities as well as the landscaping treatment and attitude within the site. The public spaces and pedestrian flow to and through them were also a consideration of the panel that resulted in an improved plan. The development is not located within the critical area or the flood plain and, therefore, does not contain specific design features for their requirement.

The development will be required to come back through the UDARP and SPRC process before returning for final design approval by the Planning Commission. The applicant will continue to work with the community through the development process where elevation designs and ideas will be shared for input.

- Traffic Impact Mitigation: Although there is substantial capacity at this site, the surrounding communities may be impacted by the proposed development. As such, a Traffic Impact Study was conducted for the area and details of the mitigation measures are being finalized. Issues raised within the study have been addressed and incorporated into the proposed development plan. As part of the process the Department of Transportation (DOT) conducted a comprehensive study of the site and surrounding neighborhoods and, with community and developer involvement, created a matrix of desired traffic and pedestrian improvements. DOT then worked internally to study and establish feasibility of the individual projects resulting in a comprehensive list of measures and improvements in and near the development that will be instituted at different phases of time. Travel and dedicated turn lanes at the intersection of 25<sup>th</sup> Street and Howard Street along with developer financial contributions to DOT for continued monitoring in signal optimization in and around the site as well as pedestrian and traffic safety improvements within the community have been targeted within the required traffic mitigation.

The development plan incorporates many items both on and off site, that will work together to create a safe and functional pedestrian and vehicular environment. A new traffic light at the intersection of Huntingdon Avenue and 25<sup>th</sup> Street is being proposed as well as new pedestrian walks, curbs, handicapped ramps, and pedestrian countdown signals are also being proposed throughout the development site area. Within the public right-of-way, the long planned bicycle lane will be incorporated within the new street paving and striping along Huntingdon Avenue, 25<sup>th</sup> Street, and Maryland Avenue, in accordance with the Baltimore City Bicycle Master Plan.

It is also our understanding that truck traffic will be handled through tenant leases that will require routing of deliveries by large trucks from I-83 to North Avenue and then up Howard Street to the site. From Howard Street, trucks will access the site in a variety of ways dependent upon which retailer they are servicing. Design measures have been built into the development plan to physically prevent large tractor trailers from making

turns outside the prescribed route. Roadway bump-outs are being instituted on Huntingdon Avenue to prevent exiting trucks from turning left and heading north on Huntingdon Avenue. The exit from the lower level retailer onto 24<sup>th</sup> Street has also been designed in a manner that physically prohibits a tractor trailer from making a right out of the development.

- **Sustainability:** The applicant will meet or exceed the Baltimore City Green Building standards for this project. The development team is pursuing the following strategies:
  - Incorporating vegetated bump-outs to reduce impervious areas and provide traffic calming.
  - Providing tree lined and pedestrian friendly streets with bike paths and convenient connections to mass transit to encourage alternative modes of transportation.
  - Proposing native and water efficient landscaping.
  - Utilizing recycled materials in infrastructure such as recycled concrete for road and sidewalk aggregate sub-base and incorporating recycled mineral admixtures in concrete storm drain piping.
  - Incorporating Environmental Site Design elements to replicate natural hydrology such as disconnection of impervious runoff and micro-scale bio-retention facilities.
  - Incorporating green roofs where feasible on structures.
  - In addition to providing adequate facilities and maintenance for tenant and customer waste and recycling, the project will transform underutilized land adjacent to a railroad track, replace the existing fencing with more effective and attractive fencing and maintain it.
  - The project proposes extensive public improvements adjacent to the project. The developer is expecting to use the project's vendors to clean the public right-of-way in these areas. The project proposes to close and improve the beds of Ware Street and Hampden Avenue within the projects boundary, improving and maintaining both.
  - The project proposes to quickly redevelop a site which is a soon-to-be-shuttered automotive dealership in addition to the railroad property described above. It will avoid having a vacant lot and will provide a development with social and environmental benefits.
  - Extensive pedestrian improvements (new sidewalks, streetscaping, street furniture, pedestrian-scaled lighting, etc.) are provided to encourage pedestrian activity and reduce dependence of nearby residents' use of the automobile and lower emissions.
  - The project proposes extensive tree planting and a green roof of more than 1 acre in addition to energy efficient systems in the buildings which will help improve Baltimore's overall air quality.
  - The project's proposed stormwater management systems will improve water quality that presently drains from the site, untreated, into storm drain facilities and discharges into the Inner Harbor.
  - The site had been entered into the Maryland Voluntary Clean Up Program and will be remediated and capped as required.

- The project proposes 70-80 newly constructed residential dwellings, in addition to the redevelopment of two existing buildings on site. The existing buildings will be completely rehabilitated.
- The project will incorporate the use of high energy efficient systems as well as efficient building envelopes which will help reduce Baltimore's overall energy use.
- The project will incorporate the use of low flow water fixtures to reduce the use of potable water to reduce Baltimore's water use overall.
- In addition to recycling during the demolition phase, planned major tenants in the project have operational and supply-chain programs to reduce waste.
- Recycled and reclaimed materials will be incorporated into the design to conserve resources. Recycling opportunities and locations will be provided on site and in buildings to maximize reuse and recycling of materials.
- The project proposes to plant approximately 164 trees, a significant increase to the 38 trees presently on the site or along the adjoining public sidewalks. This effort supports the goal to double Baltimore's tree canopy by 2037.
- One of the project's planned, major tenants has developed a program to bring fresh, local produce into their stores to help establish Baltimore as a leader in sustainable, local food systems.
- The project proposes extensive plantings, including a 1 acre green roof, and will utilize native plants to help protect Baltimore's ecology and biodiversity.
- The developer has met with and requested the assistance of State legislators to improve transit services near the project to improve public transportation services to the site.
- The project proposes bike lanes on streets adjacent to the site and will provide bike racks and enhanced pedestrian facilities to make Baltimore more bicycle and pedestrian friendly.
- The project's PUD proposes language to allow for ZIP cars, or the like, to be parked on site to facilitate shared vehicle usage.
- The project expects to be one of the first projects approved under the new Baltimore City Green Buildings Standards. Also, the project has garnered attention for a 'stacked' large footprint retailer concept in keeping with Smart Growth principles.
- The project proposes the use of local small businesses during the construction and operations phases.
- Raise Baltimore's profile as a forward thinking, green City- As described above, the project proposes a 'stacked' building for two large-footprint retailers, a relatively new and under-utilized program that can work for constrained, urban in-fill sites.

To meet the Baltimore City Sustainability Plan Goals for an environmentally responsible project, the Commission on Sustainability has found that development plan addresses the following:

- Cleanliness Goal 3: Transform vacant lots from liabilities to assets that provide social and environmental benefits;

- Strategy D: Return abandoned properties to productive use
  - Pollution Prevention Goal 2: Improve Baltimore’s air quality and eliminate Code Red days;
  - Resource Conservation Goal 4: Maximize reuse and recycling of materials;
    - Strategy D: Preserve, reuse, and recycle buildings and related materials
  - Greening Goal 1: Double Baltimore’s Tree Canopy by 2037;
    - Strategy F: Identify and pursue opportunities for increasing trees planted on private property
    - Strategy G: Increase tree plantings in sidewalks, medians, and other public right of ways
  - Green Economy Goal 2: Make Baltimore a center for Green Business
    - Strategy C: Encourage construction industry to use “green” building practices
  - Green Economy Goal 4: Raise Baltimore’s profile as a forward thinking, green city
    - Strategy D: Support innovative and pilot projects and technologies
- PUD Considerations: The design and development plan were reviewed and considered against many criteria. Staff offers the following considerations:
  - The 25<sup>th</sup> St. Station development is located within Baltimore City Census Tract 1306, which had a relatively stable population from 2000 to 2008 (the most recent year for which data is available). The total population in 2008 was 4,104, which represented a 5% increase over its 2000 total population of 3,910. The total number of housing units saw a minimal increase over the same eight-year period: 1924 total housing units in 2000, compared to 1935 in 2008. The percentage of owner-occupied housing units has declined from approximately 60% in 2000 to 50% in 2008. Median household income has not seen appreciable gains: the figure was \$38,094 in 2000 and \$39,727 in 2008.
  - The final layout of the proposed development has been thoughtfully tested and organized in a manner that respects the surrounding community of residences and businesses to the best extent possible. The considered program offers a variety of uses, each with individual needs, that are unique to an urban site and have been adjusted in both bulk form and layout to meet the pattern of the urban fabric.
  - The proposed traffic pattern assimilates well into the existing City grid of streets. Working through the Department of Transportation’s traffic mitigation and calming request processes has added to the comprehensive look and approach to both the layout and the mitigation measures. Off-street parking has been arranged in a manner to meet the needs of the potential retailers as well as efficiently use the space allotted. Loading and servicing for the future retailers has been located in areas that balance efficiency needs as well as surrounding area traffic concerns.
  - The surrounding area is a mix of industrial, commercial, and residential uses. The proposed development addresses the different characters of all of these uses and incorporates both commercial and residential uses to complement the surrounding communities. The site will be developed in one phase which will

create an immediate destination for businesses and the scale of the development should not impair the development potential of surrounding sites.

- Located within the City fabric, there are schools, residences, and active churches near to the proposed site and the development proposes an overall massing and outdoor public gathering spaces that, although different, still work within the overall City design.
- The proposed and existing system of streets and access points to the site offer adequate accessibility to both fire and police protection.
- The site organization and the bulk massing offer proper accessibility of light and air both within the site and to the adjacent properties. There are existing residential units adjacent to the site along Maryland Avenue and along the south western portion of the site along 24<sup>th</sup> Street. The development proposes first floor retail with apartments above for the Maryland Avenue frontage. The southwest portion of the site is proposed as the entrance to the lower level retailer and proposed garden center for that retailer. There is a large grade change at the point where Sisson Street enters 24<sup>th</sup> Street, so the development along this end will be at grade at the entrance point, and then gradually be experienced below grade as Sisson Street climbs in elevation. This portion of the site will have a decorative wall as well as plantings to mask the loading area that will be behind the garden center and below Sisson Street. This area is located north of the neighboring residents, therefore, not obstructing sunlight and securing the same availability to light, air, open space, and street access as they have now.
- The type and location of public infrastructure (i.e. utilities, access roads, drainage, etc.) have been thoughtfully considered by the development team and designed into the site organization.
- The existing site is comprised of a mix of building types and surface parking lots. There is an existing structure, a former stone church building that is being used by Hampshire Company as a storage/vehicle service building for their construction company. The structure has not functioned as a church since at least the 1930's and has been altered to meet the needs of the tenants over time. The development team investigated the re-use of the building, but because of its location on the site and the elevation of the existing first floor and basement, retaining the structure became infeasible. However, the development is committed to reusing the stone from the building on site near its existing location in order to incorporate some of the history of the structure in the new development.
- The PUD is in compliance with the UDARP approved Master Plan for the site.
- The site is a mix of industrial and business zoning situated within a context of residential, commercial, and industrial uses and designated land, therefore the proposed development conforms in both use and bulk massing to the general character and nature of the existing and future development of nearby sites. The proposed uses, in a planning and urban design sense, offers an appropriate buffer development to the existing railroad tracks that run along the west side of the site to the more residential and neighborhood commercial existing east of the site.

- There is an elevation change across the site that will be re-graded to some extent, but will be used to mask parking structure and retail space from different access and vantage points. There are no existing natural features on site that will be retained.
  - The mix of uses permitted, conditional, and prohibited within this PUD expand upon the business uses and allow these commercial uses to be located within otherwise industrially zones parcels which is appropriate to the primary purpose of the PUD as well as does not adversely affect the surrounding neighborhoods.
  - The proposed development contains bulk and massings that are in character to the surrounding neighborhood and adjacent sites. Being controlled by a public process and Final Design Approval by the Planning Commission, there are more guidelines on the buildings than would be applied if only the basic zoning regulations for the underlying districts were governing the development.
- Legislative Text Amendments:
    - **Amendment No. 1**

On page 2, in lines 12 through 18, strike the words, “consisting of Sheet 1, “Existing Conditions”, dated April 15, 2010; Sheet 2, “Development Plan A”, dated April 15, 2010; Sheet 3, “Development Plan B”, dated April 15, 2010; Sheet 4, “Development Plan C”, dated April 15, 2010; Sheet 5, “Development Plan D”, dated April 15, 2010; Sheet 6, “Preliminary Forest Conservation/Landscape Plan”, dated April 15, 2010; Sheet 7, “Exterior Elevations - Site I Large Retail, dated April 15, 2010; Sheet 8, “Exterior Elevations - Site I Additional”, dated April 15, 2010; and Sheet 9, “Exterior Elevations - Site II, dated April 15, 2010” and insert “consisting of Sheet 1, “Existing Conditions”, dated July 29, 2010; Sheet 2, “Development Plan A”, dated July 29, 2010; Sheet 3, “Development Plan B”, dated July 29, 2010; Sheet 4, “Development Plan C”, dated July 29, 2010; Sheet 5, “Development Plan D”, dated July 29, 2010; and Sheet 6, “Preliminary Forest Conservation/Landscape Plan”, dated July 29, 2010””.
    - **Amendment No. 2**

On page 2, in line 22, strike “paragraph (c)” and substitute “paragraphs (c), (d), and (e)”.
    - **Amendment No. 3**

On page 2, in line 27, after “rental”, insert “, with no more than 20 parking spaces for rental vehicles located on the Property”.
    - **Amendment No. 4**

On page 2, in line 34, strike “storage, ”, and after “sales area”, insert “, limited to the area in front of the principal façade of each building and the length of such façade, leaving no less than 5 feet of unimpeded sidewalk area for pedestrian passage;”.

○ **Amendment No. 5**

On page 2, in lines 36 and 37, strike sub-section number (9) and substitute:

“(9) Outside storage areas, limited to the area labeled as such on the Development Plan

(10) On-premises installation services limited to installation in vehicles, when accessory to an otherwise allowed use;

(11) Urgent care centers, defined as facilities providing medical treatment without appointment to patients needing immediate care but without a life-threatening condition warranting a hospital emergency room visit; and

(12) Liquor stores, with a maximum of 20% of the display area dedicated to hard liquor, no sales of single cans or miniatures, no sales of chemically-fortified wines, no sales of malt beverages exceeding 22% alcohol by volume, and no sales on Sunday except as permitted by the Baltimore City Liquor Board or other governing authority.

(c) in addition to any uses allowed by paragraphs (a) and (b) above, the following uses are conditional within the Planned Unit Development, subject to approval of the Board of Municipal and Zoning Appeals according to standards provided in the Zoning Code:

(1) Live entertainment;

(2) Second hand stores, except the sale of sporting equipment and accessories, which shall be permitted; and

(3) Tobacco shops.”

○ **Amendment No. 6**

On page 3, in line 1, strike “(c)” and substitute “(d)”, and strike “(a) and (b)” and substitute “(a), (b) and (c)”.

○ **Amendment No. 7**

On page 3, in lines 8 and 9, strike “Auto accessory stores – including repair and installation, except that installation of audio and other electronic components is permitted” and substitute “Automobile accessory stores”.

○ **Amendment No. 8**

On page 3, after line 9, insert “Bail bondsmen”.

○ **Amendment No. 9**

On page 3, in lines 15 through 17, strike “Check cashing stores, other than accessory”, “Concert halls” and “Dance halls”, and substitute:

“Check cashing stores, other than as an accessory use  
Clubs and lodges, private  
Community corrections centers  
Concert halls  
Convalescent, nursing, and rest homes  
Convents, monasteries, and seminaries  
Dance halls  
Dry cleaning establishments: drive-in only”.

○ **Amendment No. 10**

On page 3, after line 26, insert “Laundrettes and Laundromats”.

○ **Amendment No. 11**

On page 3, in line 27, after “stores”, insert “, except as provided herein”.

○ **Amendment No. 12**

On page 3, after line 39, insert “Undertaking establishments”.

○ **Amendment No. 13**

On page 3, in line 43, delete “(d)” and substitute “(e)”.

○ **Amendment No. 14**

On page 3, after line 43, insert:

“(f) Notwithstanding the provisions of paragraphs (a), (b) and (c) above, the sale of hunting knives (i.e., knives designed and marketed specifically for use by animal hunters or for hunting purposes) and “paintball” guns

(i.e., air-charged guns that fire paint pellets in connection with the game of paintball) shall be prohibited within the Planned Unit Development.”.

○ **Amendment No. 15**

On page 3, in line 44, strike “(d) Green Uses”, and substitute “(e) ‘Green Technologies’”.

○ **Amendment No. 16**

On page 3, in line 46, strike “Green Use” and substitute “Green Technology”.

○ **Amendment No. 17**

On page 4, in line 3, strike “Green uses” and substitute “Green Technologies”.

○ **Amendment No. 18**

On page 4, in line 6, after “technologies”, insert “(but excluding ‘blackwater’ recycling)”.

○ **Amendment No. 19**

On page 4, after line 13, insert:

“SECTION 4. AND BE IT FURTHER ORDAINED, That the business establishments within the Planned Unit Development may be open to the public for business only during the hours of 6:00 AM to Midnight, with the exception of Urgent Care Centers and such other uses as may from time to time be allowed by the Board of Municipal and Zoning Appeals pursuant to the standards of the Code for a Conditional Use.”.

○ **Amendment No. 20**

On page 4, strike the Section numbers “4” through “9” and substitute numbers “5” through “10”.

○ **Amendment No. 21**

On page 4, after line 34, insert:

“SECTION 11. AND BE IT FURTHER ORDAINED, That there is hereby recognized a 25th Street Station PUD Design Review Committee, (the “Committee”) which is composed of (1) the Greater Remington Improvement

Association, represented by the President of the organization or his/her designee; (2) the Charles Village Civic Association, represented by the President of the organization or his/her designee; (3) the Old Goucher Community Association, represented by the President of the organization or his/her designee; (4) the Remington Neighborhood Alliance, represented by the President of the organization or his/her designee; and (5) the Historic Fawcett Community Association, represented by the President of the organization or his/her designee. Each organization shall use its best efforts to designate a representative with professional design and/or planning experience. It shall be the responsibility of each organization represented on the Committee to maintain on file with the Department of Planning, or its successor agency, current contact information including at least the full name of the Committee representative, a mailing address, telephone number, and email address. If any of the organizations become defunct, the Planning Department may, but shall not be required to, designate an appropriate successor to be represented on the Committee. All plans for improvements at the Property requiring Planning Commission final design approval pursuant to this Ordinance shall be submitted to the Committee by the Department of Planning prior to action by the Planning Commission. The Department shall submit the request to the Committee, in writing, within five (5) days of initial submission of plans to the Department for review, using the contact information on file with the Department. The Committee shall have thirty (30) days from the request to submit comments and recommendations to the Department, in writing, which shall be advisory to the Department and the Planning Commission in their respective review of such plans.

○ **Amendment No. 22**

On pages 4 and 5, strike the Section numbers “10” and “11” and substitute numbers “12” and “13”.

**Subdivision and Development Plan/25<sup>th</sup> Street Station PUD**

The applicant is proposing to subdivide and consolidate the properties known as 25<sup>th</sup> Street Station – Lot 001 of Block 3625, Lots 011 and 013 of Block 3626A, and Lots 001, 002, 003, 004, and 005 of Block 3626C. The purpose of the 25<sup>th</sup> Street Station subdivision is two-part. First is to subdivide off a portion of CSX property so that it can be sold and incorporated into the development project site and to create a small right-of-way area to be dedicated to the City for Sisson Street and W. 24<sup>th</sup> Street. Second is to consolidate the various properties that will make up the 25<sup>th</sup> Street Station development project site. Thus, the proposed subdivision will create three new parcels and one small right-of-way area. New Lots #1 and #2 will be used for the 25<sup>th</sup> Street Station development project site. New Lot #3 will be retained by CSX. Additionally, new Lots #1 and #2 will be encumbered with various easements for access and utilities. The following is staff review of this project:

- **Subdivision Plan Requirements:** This project complies with the City’s rules and regulations relative to land subdivision within Baltimore City. Lot 1 and Lot 2 both

have frontage on a public City street. Lot 3 has a free and clear 30' access easement from the proposed entrance on 24<sup>th</sup> Street heading west and northwest to the lot through Lot 1. The subdivision plan shows the street, alley, and access easement layouts of the site.

- **Development Plan Requirements:** The applicant has included the detailed development plan within the PUD required drawings for this project. The applicant will have to return to the Planning Commission for the Final Design Approval as the technical and aesthetic details of the development are finalized.
- **Architectural Elevations:** Elevations are not being submitted at this time. The applicant will have to come back at a later date to secure Final Design Approval from the Planning Commission for the various building elevations.

### **Street Closings – Portions of Ware Street and Hampden Avenue**

The requested streets closing are for the portions of Ware Street and Hampden Avenue which are internal to the project site. There is a small spur of Hampden Avenue that enters the site off of 24<sup>th</sup> Street which will be closed and the portion on Ware Street that enters the site off of Howard Street, along the north side of the storage building out-parcel, will be closed and that area redesigned as a wider entrance and drive aisle. The following street rights-of-way are being considered for closure:

- Hampden Avenue; 25' ROW extending from 24<sup>th</sup> Street north +/-102 feet.
- Ware Street; 20' ROW extending from Howard Street west +/- 180 feet.

There will be a 20' wide use-in-common access, drainage, and utility easement along the north side of the existing storage building when Ware Street is closed. The existing streets will be incorporated into the development project. The new development plan, vehicular entrances, and drive aisles vary in their locations and widths compared to the existing street layouts. The existing streets are no longer needed to provide access to public or private property, thus no longer needed for public purpose and can be declared surplus right-of-way, closed, and disposed. It is staff's opinion that these streets may be closed and incorporated into the project development site.

### **Notifications**

Signs were posted at 7 public locations throughout the site area advertising a public hearing on the requested actions: 25<sup>th</sup> and Huntingdon – looking more towards Huntingdon but visible from 25<sup>th</sup>, 24<sup>th</sup> and Sisson facing the community, 24<sup>th</sup> Street where the old Morton Alley, Howard Street in the window of the Honda showroom building, west corner of Howard Street and 25<sup>th</sup> Street, 25<sup>th</sup> Street in the Honda showroom in about the center of the block, Maryland Avenue on the masonry wall a bit south of the middle of the block.

In addition, the following groups were notified by mail: Charles Village Civic Association, Charles Village Community Benefits District, Greater Homewood Corporation, Inc, Peabody Heights Resident Homeowners Alliance, Inc., Old Goucher Business Alliance, Remington Neighborhood Alliance, Station North Arts & Entertainment District, Old Goucher Community

Association, Inc., Greater Remington Neighborhood Association, Historic Greater Fawcett Community Association, Medfield Community Association, Hampden Community Council, Central Baltimore Partnership, Bmore Local, and relevant City agencies. In addition, letters and email notification were sent to community leaders and interested parties who had requested updates on the project.

**Thomas J. Stosur**  
**Director**