



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION
Wilbur E. "Bill" Cunningham, Chairman

SUMMARY

November 18, 2010



Thomas J. Stosur
Director

3. CITY COUNCIL BILL #10-0595/SALE OF PROPERTY – 2 PARCELS OF LAND KNOWN AS “CANAL PARCEL” AND “LOT 3”, LOCATED IN WARD 03, SECTION 7, BLOCK 1816

City Council Bill #10-0595 would authorize the City to sell all or a portion of two parcels of land known as “Canal Parcel” and “Lot 3” located in Ward 3, Section 7, Block 1816. Historically, these parcels, along with the one to the north created a narrow body of water. In the early 1990 the Canal was filled and fast land was created. In July 1, 2010 the Planning Commission approved a Final Subdivision Plan that created the Canal Parcel and Lot 3 for disposition purposes. Staff finds that these parcels are not needed for public purposes and can be declared surplus and sold. They are located between two significant parcels of land and may in turn be able to be consolidated with the adjacent Harbor Point parcels to the south to facilitate significant development potential. The parcel to the north is owned by the Mayor and City Council and long-term leased to the Living Classrooms Foundation for their main campus. The combined parcels to the south form the Harbor Point Planned Unit Development (PUD) with its associated development plans.

The following community organizations were notified of this meeting: Fells Point Task Force, Douglass Place Community Association, Perkins Homes Resident Advisory Council, Fells Point Community Organization, Fells Point Residents Association, Fells Point Main Street, The Preservation Society, Waterfront Coalition, Fells Prospect, Inc., Upper Fells Point Improvement Association, 1400 Lancaster Condominium, Albemarle Square, Southeast Community Development Corporation, Little Italy Business Association, Little Italy Restaurant Association, Little Italy Community Organization and Scarlett Place RCA, Inc.

Recommendation: Approval

4. HARBOR POINT PUD/MINOR AMENDMENT FOR U.S. LACROSSE

This proposed Minor Amendment to the Harbor Point Planned Unit Development (PUD) would adjust the PUD’s current Development Plan to accommodate a new world headquarters for US Lacrosse, a non-profit that is currently based around the Johns Hopkins University Campus here in Baltimore. Harbor Point is an established PUD at the western tip of Fells Point that proposes 1.8 million square feet of office, residential and hotel development with some 3,800 parking spaces. The ±25.8 acre PUD will also include a possible “cultural use,” significant amount of open space, a new street network with connections to existing streets and a waterfront promenade.

The Harbor Point PUD has always anticipated that a “Cultural Use” would be a significant part of the open space component that is required. A place saver of 1.8 acres has been designated for it on the Development Plan at the northern end of the Open Space Area. US Lacrosse would like to fulfill that “Cultural Use” and it proposes to shift its location through this Minor Amendment to the eastern portion of the Open Space Area. The building site is about 1.6 acres of development and is therefore less than the allowed 1.8 acres. It will include a 5,000 sf museum component and 36,000 sf of attached office space in a four story building. To accommodate the building and site program for US Lacrosse, the proposed street pattern for Harbor Point will be modified. Along with the building will be a 1.8 acre playing field and associated open space that will be located within the Open Space component of the PUD. The field will be publicly accessible, fenced and lighted. It will be sited within a “topographical bowl” that may allow built in spectator seating. A promenade will be built per the requirements of the PUD at the water’s edge.

The following community organizations were notified of this meeting: Fells Point Task Force, Douglass Place Community Association, Perkins Homes Resident Advisory Council, Fells Point Community Organization, Fells Point Residents Association, Fells Point Main Street, The Preservation Society, Waterfront Coalition, Fells Prospect, Inc., Upper Fells Point Improvement Association, 1400 Lancaster Condominium, Albemarle Square, Southeast Community Development Corporation, Little Italy Business Association, Little Italy Restaurant Association, Little Italy Community Organization and Scarlett Place RCA, Inc.

Recommendation: Approval, subject to Critical Area requirements

5. REVISED FINAL DESIGN APPROVAL/EASTERN PLAZA PLANNED UNIT DEVELOPMENT – McDONALD’S RESTAURANT

The applicant, MAFA Eastern Avenue Associates, LLC, had previously applied to locate a new McDonald’s restaurant at Anchor Square (AKA Eastern Plaza). This application required an amendment to the existing PUD in order to allow drive-through service. The owners of the shopping center pursued the amendment, and Ordinance #10-278 was enacted in May earlier this year (previously CCB #08-0183) to add the land use “Restaurants: Drive-in.” At the same time, a Final Design Approval was pursued and granted to MAFA for a McDonald’s Restaurant at this location. The applicant had submitted Site Plans, Building Elevation Drawings, and Landscape Plans. The plan package was reviewed and approved by the SPRC for this drive-through restaurant on July 30, 2010. Forest Conservation requirements, the Traffic Impact Study (TIS) and the Storm Water Management requirements have already been addressed through the PUD’s establishment.

At the time MAFA was designing the proposed restaurant, they were not aware that their proposed restaurant would encroach over a condominium line of ownership within the site. Because of this internal ownership line, they cannot build the restaurant in its previously approved orientation. By rotating the restaurant 90° to have its long axis

parallel to Eastern Avenue, the building will fit in its allowed pad site area. For this reason, the revised design is now presented to the Planning Commission for re-approval.

Staff notified the Bayview Improvement Association and the Eastwood Community Association of this action.

Recommendations: Approval

6. UPLANDS PUD/ MINOR AMENDMENT – PHASE II HOMEOWNERSHIP

FINAL DESIGN APPROVAL / UPLANDS PUD – PHASE II HOMEOWNERSHIP

The applicant, Uplands Visionaries, LLC, has broken ground with the first of multiple phases of the Uplands Redevelopment Plan and is seeking design approval for phase two of the development. Phase two is the first homeownership portion of the Uplands PUD. This plan has been successfully vetted through both the community and the Planning Commission as a new, green, mixed income redevelopment that works with the unique features of the site and it's location in Baltimore City. There have been a few minor changes to building arrangements within Phase two and because the subject property is within a PUD, the Planning Commission must first approve the minor amendments and then the final design for the new Phase two buildings. The applicant has submitted to the Planning Commission for consideration the updated development plan, landscape plan, and building elevation drawings for the project. These plans make up the formal submittal to the Planning Commission for consideration of the Minor Amendment and Final Design Approval.

The phase two area will contain 178 for sale units, approximately 31, of which, will be visitable. There will be a mix of two and three-story rowhomes, duplexes, and single family detached. There will be one dedicated parking space per home. Those homes that do not have garage parking will have dedicated surface parking spaces that are accessed off of the public alleys behind the buildings.

The following groups were notified by mail: Uplands Community Association, Southwest Development Committee, Rognel Heights Community Association, Edmondson Village Community Association, Lower Edmondson Village Community Association, Hunting Ridge Community Association, Ten Hills Community Association, Irvington Community Association, West Hills Community Association, Westgate Community Association, Saint Josephs Community Association, the Edgewood Community Association, Edmondson High School, business owners and city agencies.

Recommendations:

- Uplands PUD/Minor Amendment – Phase II Homeownership: Approval
- Final Design Approval/Uplands PUD – Phase II Homeownership: Approval

7. FINAL DESIGN APPROVAL/BREWERS HILL PUD – THE APARTMENTS AT BREWERS HILL PHASE II

This Final Design Approval is for the Hanover Phase II rental apartments within the Brewers Hill PUD. Through a series of subdivision actions in 2008, the 5.563 acre site for Brewers Hill Apartments Phase II was created. It is bounded by O'Donnell, Dean, Toone and Eaton Streets. The latter two streets will be created as extensions of existing streets to the west and north respectively. These streets add another 2.514 acres of land to the development. On April 17, 2008, the Planning Commission gave approval for a Minor Amendment to construct a four to five level mixed used project on this parcel. In general the project consists of 440 apartment dwelling units, 19,070 square feet of retail space fronting Toone Street, a clubhouse as accessory to the apartments and 650 structured parking spaces within a garage. The site will be divided into two buildings by a private mews street running between Dean and Eaton Streets.

The building elevations of this complex are somewhat industrially-inspired in design to complement the Brewers Hill area. The primary wall material is brick, in two tones with pre-cast accents features. A project identification sign will be located on the entrance canopy (on Toone Street). Retail signage will be channel letter type installed on the brick area above storefronts. Awnings over storefronts may include signage as well. Per Forest Conservation requirements, the landscape plan shows 159 trees being planted for this project. 151 are required.

The Original PUD legislation contained a tipping point of 1,085,000 square feet (and 85,000 square feet of commercial) in the development schedule to enact two conditions that must be met before Planning Commission approval may be granted for additional density and building square footage. Both conditions, the TIS for Southeast Baltimore and this Phase of the Brewers Hill PUD, have been completed and make specific recommendations relative to providing either Dean or Eaton Streets as a new connector street between Boston and O'Donnell Streets to alleviate traffic congestion in the area. Given anticipated development of the east parcel of Brewers Hill, east of Eaton Street, a decision has been made to have Eaton Street built to specific Baltimore City street standards.

Neighbors of Brewer's Hill, Brewer's Hill Community Association, Canton Community Association, Canton Highlandtown Community Association, Highlandtown Community Association, Southeast Community Development Corporation were notified of this action.

Recommendation: Approval, with the following requirements being incorporated into the Site Plan of the Brewers Hill PUD/The Apartments at Brewers Hill II – Final Design Approval:

1. That Eaton Street be identified as a future public street with a 60' wide future public right-of-way (ROW);
2. That the ROW reserved for the future public street should be at least 60' wide, include two 11.5' travel lanes (one in each direction), two 8' wide parking lanes

- (One on each side of the street), sidewalks not less than 5' wide (on both sides of the street) and fully compliant with ADA requirements;
3. The applicant shall construct Eaton Street, between O'Donnell and the proposed extended Toone Street in accordance with Baltimore City standards and specifications for materials required for highways, bridges, utilities and incidental structures. Baltimore City will assume responsibility for constructing the portion of Eaton Street south of Toone to Boston Street to complete the required connector;
 4. No changes to the design, traffic regulations, etc. shall be permitted to the portion of Eaton Street within the bounds of this project except as approved by the Planning Commission in consultation with the Director of the Department of Transportation.

8. CITY COUNCIL BILL #10-0613/REZONING – 1746 ASHLAND AVENUE

CITY COUNCIL BILL #10-0614/PLANNED UNIT DEVELOPMENT – NEW EAST BALTIMORE COMMUNITY – AMENDMENT 1

FINAL SUBDIVISION & DEVELOPMENT PLAN/1746 ASHLAND AVENUE

Forest City/New East Baltimore Partnership (FC/NEBP) is proposing to construct the first parking garage within the footprint of the New East Baltimore Community Planned Unit Development (PUD). At the time the original PUD was approved, the master plan envisioned three small- to mid-scale parking garages. The first parking garage (labeled P-1 on plans) was to be constructed mid-block on the west side of Washington Street between Eager Street and Ashland Avenue. Since then, FC/NEBP has revised their development program and is seeking a master plan change which envisions two larger parking garages, in lieu of three. This has implications on specific proposed building footprints, as well as building massing.

Separately but simultaneously, FC/NEBP is proposing to develop the site at the northwest corner of Ashland and Rutland Avenues with a new life sciences office building. This area corresponds to Parcel L-4 on plans. The single-occupant building is being constructed expressly for the needs of the Maryland's Department of Health and Mental Hygiene (DHMH). The building will house DHMH's laboratory facilities and has specific security issues due to the biohazardous nature of materials handled. In order for the project to proceed, rezoning, subdivision, and Minor Amendment/Final Design Approval will be required. The developer is ready to pursue the zoning change and subdivision only at this time. The project will return to Planning Commission in the future for Revised Final Development Plan and Minor Amendment/Final Design Approval once the building's footprint, architectural and landscape plans have been finalized.

In advance of a hearing on this matter, staff notified the following community groups: Northeast Market Merchants Association, Reclaiming our Community, Citizens

Communication Coalition, Broadway Development Foundation, Madison East End Neighborhood Improvement Association, Madison East End Improvement Association, Inc., Monument Street Merchants Association, Monument Street Renaissance, Milton-Montford Improvement Association, Inc., Faith Lane Community Association, Washington-Wolfe Gateway Community Association, McElderry Park Community Association, C.A.R.E., Save Middle East Action Committee, and Historic East Baltimore Community Action Coalition, Inc.

Recommendations:

- City Council Bill #10-0613 (Rezoning): Approval
- City Council Bill #10-0614 (PUD Amendment): Amendment and approval.
- Final Subdivision & Development Plan: Approval, subject to comments from the Department of General Services.

9. CCB #10-0599/FRANCHISE – PRIVATE PEDRSTRIAN BRIDGEWAY OVER THE 1500 BLOCK OF PRESSTMAN STREET

For the purpose of granting a franchise to New Song Urban Ministries, LLC, to construct, use, and maintain a private pedestrian bridgeway above and across a portion of the 1500 block of Presstman Street right-of-way, connecting the New Song Academy building on the north side of Presstman Street with an Academic and Community building to be constructed on the south side of Presstman Street, subject to certain terms, conditions, and reservations; and providing for a special effective date.

The bridgeway will connect the proposed new building (new classrooms, meeting rooms, recreation rooms offices and storage space) on the south side of Presstman Street to the existing Academy building on the north side of Presstman Street. The bridge is designed as one level with aluminum storefront windows with decorative mesh sun shading, metal panel cladding and curved standing seam metal roofing.

Sandtown Habitat Homeowners' Assoiation, Sandtown-Winchester Community in Partnership, Sandtown-Winchester Improvement Association and Sandtown-Winchester Square Homeowners Association were notified of this action.

Recommendation: Approval

10. CITY COUNCIL BILL #10-0612/SALE OF PROPERTY – 1119 POPLAR GROVE STREET

1119 Poplar Grove Street is a vacant property located in the Winchester neighborhood. The subject property is in poor condition and is currently boarded up with limited access. The property is in severe disrepair. It is staff's finding that the subject property is surplus and is not needed for public purpose and can be sold. Additionally staff recommends that any reuse proposed for the property by prospective buyers be reviewed to determine if it is permitted by zoning.

Alliance of Rosemont Community Organizations, Inc.-(ARCO), Concerned Citizens of Rosemont, Coppin Heights Community Development Corporation, Southwestern District

Police-Community Relations Council, Winchester Improvement Association, Windsor Hills Neighbors, Inc., and the Western Community Action Center were notified of this action.

Recommendation: Approval

11. STREET CLOSING/VARIOUS STREETS AND ALLEYS WITHIN THE POPPLETON URBAN RENEWAL PROJECT

The Department of Housing and Community Development has requested the closing of streets and alleyways in order to consolidate this area with other adjoining City-owned properties and offer it for redevelopment. All abutting properties are under City control. It is staff's finding that these streets and alleys are not needed to provide access to adjacent properties. Thus, the subject streets and alleys are no longer needed for public purposes and can be closed; the right-of-ways declared surplus property and sold.

Baltimore Heritage, Communities Organized To Improve Life-(COIL), Concerned Citizens of Poppleton, Inc., Franklin Square Community Association, Inc., Hollins Round House, Inc., Poppleton Cooperative, Inc., Poppleton Village Community Development Corporation, Southwest Sanitation Task Force, Sowebo Merchants Association, University of Maryland, Western Community Action Center, Western District Police-Community Relations Council and the Western Human Services Center were notified of this action.

Recommendation: Approval, subject to comments from the Department of General Services.

12. ADOPTION/BALTIMORE CITY SUBDIVISION REGULATIONS

ADOPTION/AMENDED PLANNING COMMISSION RULES & REGULATIONS

CITY COUNCIL BILL #10-0617/SUBDIVISION & DEVELOPMENT PLANS – PENALTIES FOR VIOLATION

Our current *Rules and Regulations for Land Subdivision* were adopted for the first time in 1940 and have been updated periodically since then, the most recent update occurring in 1999. More than a decade later, the rules surrounding development have changed dramatically. We are operating under a new Comprehensive Master Plan for the city, the first one adopted since 1971. The TransForm Baltimore process is well underway to revise our Zoning Code. And we have stepped up our efforts toward a “greener” Baltimore by implementing citywide Green Building requirements and new stormwater management regulations. The proposed update to our *Rules and Regulations for Land Subdivision* should be seen as a complementary piece of the regulatory framework, and one long overdue for revision.

In advance of a hearing on this matter, staff notified 200+ community groups, representing all of the City's umbrella groups who have provided contact information to the Community Association Directory. In addition, identified stakeholders (including various City agencies and the Baltimore Development Workgroup) have been invited to participate in numerous meetings throughout the draft-writing phase, and were emailed a copy of the document, to which comments were sought. Community groups were invited to attend a Department of Planning Open House on Monday, October 18, 2010.

Recommendations:

- Adoption/Revised Baltimore City Subdivision Regulations: Approval
- Adoption/Amended Planning Commission Rules and Regulations: Approval
- City Council Bill #10-0617/Subdivision & Development Plans – Penalties for Violation: Approval

CONSENT AGENDA

13. REVISED FINAL SUBDIVISION AND DEVELOPMENT PLAN FOR BAKERS VIEW – DRUID HEIGHTS COMMUNITY PROJECT (Eleventh District)

On August 7, 2008, the Planning Commission approved the Final Subdivision and Development Plan for Bakers View – Druid Heights Community Project. This action involved consolidating and re-subdividing the properties into known as Bakers View – Druid Heights Community Project into thirty-one lots for the construction of thirty-one town homes. The applicant has since revised the plans in order to make several minor adjustments to various property boundary lines. These changes are very minor and are consistent the Planning Commission's initial approval of this action.

Recommendation: Approval

14. REVISED FINAL SUBDIVISION & DEVELOPMENT PLAN/CANTON CROSSING PUD – PARCEL G (First District)

(Postponed to a later date.)

15. CIP TRANSFERS

Recommendation: Approval