

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #22-0190 / REPEAL OF ORDINANCES 08-94, 08-95, AND 08-96 - WESTPORT WATERFRONT DEVELOPMENT DISTRICT, WESTPORT SPECIAL TAXING DISTRICT, AND STATE OBLIGATIONS PLEDGE		

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE: February 24, 2022

At its regular meeting of February 10, 2022, the Planning Commission considered City Council Bill #22-0190, for the purpose of repealing Ordinance 08-94, which created the Westport Waterfront Development District; repealing Ordinance 08-95, which created the Westport Waterfront Special taxing District; repealing Ordinance 08-96, which authorized the pledge by the City of Tax Increment Revenues and Special Tax Revenues for the purpose of financing infrastructure improvements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #22-0190 and adopted the following resolutions, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, and recommends that City Council Bill #22-0190 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Natasha Mehu, Mayor's Office
Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Matthew Stegman, City Council President's Office
Ms. Nikki Thompson, City Council President's Office
Mr. Colin Tarbert, BDC
Ms. Kathleen Byrne, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

February 10, 2022

REQUESTS:

City Council Bill #22-0189/ Repeal of Ordinances 07-609 and 09-139 – Westport Waterfront Planned Unit Development

For the purpose of repealing Ordinance 07-609, which designated certain properties as a Business Planned Unit Development known as Westport Waterfront; repealing Ordinance 09-139, which amended Ordinance 07-609; and providing for a special effective date.

City Council Bill #22-0190/ Repeal OF Ordinances 08-94, 08-95, AND 08-96 – Westport Waterfront Development District, Westport Special Taxing District, and State Obligations Pledge

For the purpose of repealing Ordinance 08-94, which created the Westport Waterfront Development District; repealing Ordinance 08-95, which created the Westport Waterfront Special taxing District; repealing Ordinance 08-96, which authorized the pledge by the City of Tax Increment Revenues and Special Tax Revenues for the purpose of financing infrastructure improvements; and providing for a special effective date.

RECOMMENDATION: CCB #22-0189: Approval
CCB #22-0190: Approval

STAFF: Matthew DeSantis, AICP

PETITIONER: Stonewall Capital, LLC c/o Caroline Hecker, Esq.

OWNER: Westport Capital Development, LLC (of Stonewall Capital, LLC)

SITE/GENERAL AREA

Site Conditions: The site is comprised of five parcels: 2001, 2033, 2099, 2101, 2401 Kloman Street and encompasses roughly 44.28 acres of land (57.78 acres in total when submerges portions of the site are included). The site has been mostly cleared from its former industrial uses.

General Area: This property is located in the Westport neighborhood directly adjacent to the Middle Branch of the Patapsco River. The south of the site is bordered by Middle Branch Park; the east by the Patapsco River waterfront, the north by vacant City-owned land and I-95; and the west by freight rail, Kloman Street, the Light Rail. The majority of the existing Westport

neighborhood is comprised of medium-density attached dwellings, but also features some light industrial and neighborhood-serving commercial retail uses.

HISTORY

Plans

- Westport, Mount Winans, Lakeland Communities Master Plan approved by the Planning Commission on March 10, 2005.
- Middle Branch Master Plan approved by the Planning Commission on September 20, 2007.
- Middle Branch Transportation Master Plan was adopted by the Planning commission on March 22, 2012.
- South Baltimore Gateway Masterplan approved by the Planning Commission on October 29, 2015.
- The concept master plan for this redevelopment was reviewed by the Urban Design and Architectural Review at their December 10, 2020 and January 7, 2021 meetings.
- The initial subdivision to create the development parcels for the One Westport redevelopment were approved by the Planning Commission on December 2, 2021.

Legislation

- Planned Unit Development #139 Westport Waterfront was recommended for approval by the Planning Commission on October 4, 2007.
- CCBs #08-0160, 08-0161, and 08-0162 for the creation of a “Development District”, a “Special Taxing District” and to authorize the City’s TIF pledge for the Westport waterfront development were recommended for approval by the Planning Commission on October 23, 2008.

ANALYSIS

Overview: The purpose of these companion pieces of legislation is to repeal the previously-approved Planned Unit Development and Special Taxing District associated with the failed redevelopment of the Westport Waterfront by Turner Development. This will revert the Westport waterfront parcels back to the TOD-4/W-2 base zoning so that the current redevelopment scheme proposed by the current owner, Stonewall Capital, LLC, may proceed according to these development standards. In addition to the current development plans being in accordance with the underlying zoning, Stonewall Capital is not seeking any Tax Increment Financing participation from the City to undertake the current One Westport redevelopment project.

Planned Unit Development #139: The PUD was established for the Westport waterfront in 2007 (and a corrective bill was passed in 2009) to facilitate a mixed-use redevelopment by a previous owner of the site that ultimately never materialized. At the time, the underlying zoning did not permit the kinds of uses envisioned for the site, and so a PUD was established to permit and guide the redevelopment. CCB #22-0189 will repeal the existing PUD so that the current redevelopment proposal may proceed according to the base Transit-Oriented Development zoning.

Westport Waterfront Development District / Special Taxing District / State Obligations Pledge (TIF): In 2008, a trio of ordinances created a financing structure for the then recently approved Westport Waterfront PUD. The first two ordinances created the development district and the special taxing district while the third ordinance authorized the City to pledge the required funding through a TIF of up to \$160 million.

As the development envisioned by Turner Development never materialized, no bonds authorized through this legislation were ever issued by the City and given the new development plans now proposed, it is appropriate to repeal this legislation. The current development proposal from Stonewall Capital is not requesting any TIF participation by the City.

Equity Analysis

1) Short / long-term impact on surrounding community: CCBs #22-0189 and 22-0190 will enable the current One Westport redevelopment vision to proceed and so do not present any substantial change or modification per se. As noted in the equity analysis for the initial subdivision application on December 2, 2021, this massive project will unfold over many years and it still remains to be seen how each element will precisely impact the surrounding community.

2) Impact on Baltimore's existing patterns of inequity: Regarding the overall One Westport redevelopment vision more so than just these two bills: This project will likely impact patterns of inequity in a substantial way, but it remains to be seen in which ways this will unfold. The Westport neighborhood has a declining population (-19% change from 2010 to 2020 and a -50% change from 1990 to 2020) higher than City-wide averages of vacant buildings, lower percent homeowner than City-wide average, higher percent unemployment percentage, and much lower median sales price of homes. A successful redevelopment of the Westport waterfront that brings appreciating land values to the surrounding community can be beneficial in myriad ways: increased equity for long-tenured neighborhood homeowners, increased renovation of vacant buildings, increased retail and commercial amenities for existing residents, etc. However, one of the fears continually expressed by community residents is that this redevelopment won't be integrated for and welcoming to existing residents. This challenge can be mitigated through good urban design as well as through programs to protect legacy residents (i.e. ensuring that deeds for family homes are in order, having homeowners apply for the Homeowners Property Tax Credit, advertisement of DHCD homeowner assistance programs, etc.).

3) Has the community been meaningfully engaged: Nearly all of the community engagement performed by Planning staff that has occurred relating this redevelopment has been on the development plans themselves, and not on these pieces of legislation. As these two bills, however, have the narrow focus on repealing now out-of-date legislation, the overall result is that the movement of this legislation is entirely consistent with the community engagement that has occurred.

4) How are residents who have been historically excluded from planning processes being authentically included in the planning of the proposed policy or project: The Westport

neighborhood would be widely considered a historically under-resources and overlooked community. The meaningful engagement that the master developer of the site has been committed to should be applauded, but work remains to be done, especially as development details are worked out for each parcel of the site.

5) Impact on internal operations: This legislation will enable the advancement of the One Westport redevelopment plans that have been in motion. Staff will continue to work diligently to work with the associated development teams for the various aspects of the plan, as well as with community members to ensure that their input is valued in the process.

Community Notification: The Westport Neighborhood Association, Westport CEDC, Mt. Winans Community Association, St. Paul Neighborhood Association, and South Baltimore Gateway Partnership have been notified of this application. Additionally, the property has been posted in accordance with Planning Commission guidelines.



Chris Ryer
Director