


FROM	NAME & TITLE	DOUGLAS B. MCCOACH, III- DIRECTOR <i>DBM</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #08-0117/URBAN RENEWAL PLAN-AMENDMENT-KEY HIGHWAY FOR HARBORVIEW		

DATE:
June 2, 2008

TO

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

At its regular meeting of May 29, 2008 the Planning Commission considered City Council Bill #08-0117, for the purpose of amending the Urban Renewal Plan for Key Highway for Harborview to the lot coverage controls for the Harborview project. The Key Highway Urban Renewal Plan establishes lot coverage controls for low-rise, mid-rise, and high-rise development.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #08-0117 and adopted the following resolution, nine members being present (eight in favor and one abstention).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #08-0117 be passed by the City Council.

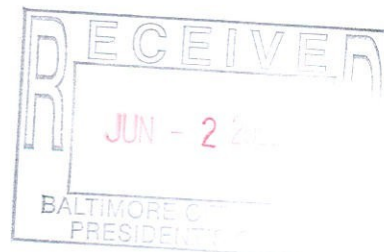
If you have questions, please contact Mr. Gary W. Cole, Deputy Director at 410-396-8337.

DBM/WYA/ttl

Attachments

cc:

- Mr. Andy Frank, Deputy Mayor
- Mr. Demuane Millard, Mayor's Office
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Mr. Donald Small, Zoning Enforcement
- Mr. David Tanner, BMZA
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Jennifer Coates, Council Services
- Ms. Deepa Bhattacharyya, Law Department
- Ms. Kim Clark, BDC



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PLANNING COMMISSION

STAFF REPORT

May 29, 2008

REQUEST: City Council Bill #08-0117/Urban Renewal Plan Amendment –
Key Highway For Harborview

For the purpose of amending the Urban Renewal Plan for Key Highway to amend certain development area controls for Development Area A; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Robert Quilter

PEITITIONER: HarborView Properties Development Co.

OWNER: HarborView Properties Development Co.

SITE/GENERAL AREA:

Site Conditions: This site is within the Harborview development known as Development Area A (of the Key Highway Urban Renewal Plan). The Harborview development currently consists of a 249-condominium unit tower, a 164-unit apartment complex, 76 luxury townhouses, 88 pier townhouse condominiums, a marina approved for 666 slips, and a marina office building with a restaurant. There is, or will be, a promenade on the waterside of the entire complex, except for the two buildable piers. This site is zoned B-2-4 and is located in the Critical Area, flood plain and Key Highway Urban Renewal Plan.

General Area: The site is located on the South Baltimore peninsula, with the Inner Harbor, the Ritz Carlton site and Rash Field to the northwest. To the west are the Federal Hill and South Federal Hill communities: they are zoned primarily R-8, and consist primarily of two and three-story row homes and commercial buildings.

The Key Highway Urban Renewal Plan Area runs along both sides of Key Highway from just south of the 801 Key Highway site proposed for a Ritz Carlton to the Fire Department repair facility where Key Highway turns near Lawrence Street. Harborview is on the east side of the street. The Visionary Arts Museum, the Covington townhouses and a variety of underutilized parcels are on the west side of the street.

HISTORY

- Ordinance # 86-0622, approved March 12, 1986 established the Key Highway Urban Renewal Plan.

- Ordinance #86-0621, approved March 12, 1986, rezoned properties in the Key Highway Urban Renewal Plan from M-3 and M-2-2 to B-2-4 and M-1-3.
- On December 3, 1987, the Planning Commission approved the Final Subdivision and Development Plan for Harborview, creating the seven development sites.
- On April 26, 1990, the Planning Commission approved the Revised Final Subdivision and Development Plan for Harborview
- On May 6, 1999, the Planning Commission approved the Final Subdivision and Development Plan for 1201 and 1221 Key Highway for Harborview, reconfiguring lots #3, 4 and 5.
- On July 15, 1999, the Planning Commission approved the subdivision of Lot #4A for the 76 townhouses.
- On December 12, 2002, the Planning Commission approved the Final Development Plan for the Harborview Lot #2 – Pier Townhouse project.
- On March 11, 2004, the Planning Commission approved the Revised Development Plan for the Harborview Lot #2 – Pier Townhouse project.
- On December 7, 2006, the Planning Commission approved the Revised Development Plan for the Harborview Lot #3 – Pinnacle, 25 Pierside Drive.
- On May 31, 2007, the Planning Commission recommended approval of City Council Bill #07-0630, Key Highway Urban Renewal Plan Amendment. This bill was to revise height parameters and highrise tower spacing for Harborview. The bill was subsequently withdrawn.
- On December 20, 2007, the Planning Commission approved the Revised Final Development Plan for Harborview Lot 2 – Promenade access path, mail pick-up center and two water features.

CONFORMITY TO PLANS

Key Highway Urban Renewal Plan: The amendment conforms to the goals of the Key Highway Urban Renewal Plan: 3) To provide for new development which respects the adjacent community and provides a transition to the existing neighborhood, 7) To protect and enhance views of the Harbor from South Baltimore east-west streets, Federal Hill Park and Key Highway, 10) To establish a positive image for the Project Area so as to provide opportunities for new downtown waterfront development, increase the tax base of the City, improve job opportunities and generally increase the economic vitality of both the Project Area and the City as a whole.

Comprehensive Master Plan: The amendment conforms to the following goals of the Comprehensive Plan: Live Section, Goal #2: Elevate the Design and Quality of the City's Built Environment.

ANALYSIS

City Council Bill #08-0117 proposes to amend the Key Highway Urban Renewal Plan relative to the lot coverage controls for the Harborview project. In 2007, a similar bill, #07-0630, was introduced to achieve this and another amendment. Although it was approval was recommended by the Planning Commission on May 31, 2007, the bill was subsequently withdrawn. Therefore City Council Bill #08-0117 is a modified version of the previous year's bill.

The original development plan for the HarborView development, approved by the Planning Commission on December 3, 1987, proposed a development program of up to 1590 dwelling units and 200,000 square feet of Office, Retail or Hotel. The plan proposed five new towers to be built along Key Highway and one signature tower along the waterfront. The plan also proposed low rise buildings along the marina waterfront and pier buildings on the piers of Lot 2.

This development plan was codified into general controls for the development which were embodied in the Key Highway Urban Renewal Plan, which was approved on March 12, 1986 by the Mayor and City Council. The Key Highway Urban Renewal Plan set the following controls for the development: land use, density, height controls, lot coverage restrictions, pedestrian access corridors and the promenade, view corridors, and minimum parking requirements.

Maximum Lot Coverage Amendment

Since the original approval of the development plan and the construction of the signature tower along the waterfront, there have been significant changes to the development program for the Harborview properties. Due to changes in market demand and community concerns about the number of tall buildings in the plan, Lots 4 and 5 were developed into town homes rather than towers, and approved by the Planning Commission on May 6, 1999. This change in program decreased the density and bulk of the development from the original approval, but increased the lot coverage of the development since there was greater low rise residential development. Due to this change in development program, the development is currently close to “maxing out” its lot coverage for mid-rise development which will prevent the further development of the property and completion of the original development plan.

The Key Highway Urban Renewal Plan establishes lot coverage controls for low-rise, mid-rise, and high-rise development. This can be thought of as a “wedding cake” with each type of development stacking on top of the other. The existing controls of the plan are as follows:

	<i>Height Range</i>	<i>Maximum Lot Coverage</i>
Low-rise:	Grade to El. 36 Feet	65%
Mid-rise:	El. 36 feet to El. 150 feet	30%
High-rise:	El. 150 feet to El. 390 feet	16%

The original plan envisioned a very low base that contained parking, and townhouse development was not envisioned. Most town homes are above 36’ and thus they count as mid-rise structures rather than as low-rise structures which they are more typically described as. To correct this, the applicant has proposed to amend the height parameters for low rise development to include development up to 58’ in height. This change will allow further high-rise and mid-rise development to occur. Therefore the proposed amended controls are as follows:

	<i>Height Range</i>	<i>Maximum Lot Coverage</i>
Low-rise:	Grade to El. 58 Feet	65%

Mid-rise: El. 58 feet to El. 150 feet 30%
High-rise: El. 150 feet to El. 390 feet 16%

Design Review Process/Urban Design and Architecture Review Panel (UDARP)

The revised Master Plan for Harborview was discussed at two separate reviews with the Urban Design and Architecture Review Panel (UDARP). Community representatives were invited to, and participated in, the discussions. On May 24, 2007, the Panel responded to the proposed 2007 Urban Renewal Plan amendments with five design recommendations. Planning Staff believes all of the recommendations must be addressed during the UDARP reviews for the final designs of Lots 3 and 6. These projects will require Final Development Plan Approval from the Planning Commission at the end of the review process.

Additionally, as part of the design review process for the Harborview master plan, UDARP expressed concern about development on Lot 6 in relationship to adjoining Lot 7 (which is not part of Development Area A). Also, it is our understanding that the community expressed concerns about the need for open space on Lot 7. Staff communicated these concerns to the applicant and was informed that "Harborview is committed to work with the City and neighborhood community groups to create significant public open space linking Webster Street to the waterfront". Staff will continue to work with the applicant to ensure that the commitment for open space is implemented on Lot 7.

Promenade Easement Requirements

This development will require a Pedestrian Promenade Easement Agreement for the Lot 6 of Development Area A. The Easement must be approved by the Board of Estimates and recorded by the developer before occupancy permits are issued for any component of new construction on this Lot.

Community Notifications

Key Highway Community Association, Federal Hill Neighborhood Association, Federal Hill South Neighborhood Association, Friends of Federal Hill Park, Locust Point Civic Association, and the Riverside Action Group were notified of this action.



Douglas B. McCoach, III
Director