

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #15-0600 / AMENDMENT 2 GREEKTOWN REDEVELOPMENT PUD (#131)

CITY of
BALTIMORE
MEMO



TO

DATE:

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

January 22, 2016

At its regular meeting of January 21, 2016, the Planning Commission considered City Council Bill #15-0600, for the purpose of approving certain amendments to the Development Plan of the Greektown Redevelopment PUD, adding “dwellings” as a permitted use to Section B of the Development Plan.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended disapproval of City Council Bill #15-0600 and adopted the following resolution, nine members being present (two in favor):

RESOLVED, That the Planning Commission did not concur with the recommendation of its Departmental staff, and recommends that City Council Bill #15-0600 be passed by the City Council as introduced.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA/ch

Attachment

- cc: Ms. Kaliope Parthemos, Chief of Staff
- Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development
- Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development
- Ms. Angela Gibson, Mayor’s Office
- The Honorable Rochelle “Rikki” Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Elena DiPietro, Law Dept.
- Ms. Natawna Austin, Council Services
- Ms. Caroline Hecker, Esq., Rosenberg Martin Greenberg



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

January 21, 2016

REQUESTS: CCB #15-0600/Planned Unit Development – Amendment 2 – Greektown Redevelopment

RECOMMENDATIONS: Disapproval

STAFF: Christina Hartsfield

PETITIONER: Greektown, LLC

OWNER: Greektown, LLC

SITE/GENERAL AREA

Site Conditions: The Greektown PUD is a total of 13.5 acres and is bounded by Foster Avenue to the North, Oldham Street to the East, O'Donnell Street to the South and the CSX right-of-way to the West. The PUD is divided into Sections A and B. Section A comprises Phase I and II of the development plan, which is approximately all of the area north of Dillon Street. Section B is the remaining "L" shaped area of the PUD south of Dillon Street along Macon Street and the five parcels east of Macon along O'Donnell Street. Most of Section A has been or is currently being developed with new single-family townhouses. The subject area, Section B is unimproved.

The rectilinear parcel of Section B along Macon Street is the subject of this bill, however the amendment would affect Section B wholly. Both parcels are zoned B-3-1. They are bounded on 3 of 4 sides by M-3 zoning. The property abutting the western edge of subject area is zoned M-3, as well as the property directly across Macon Street. O'Donnell Street is the southern boundary and is an active truck route. Across O'Donnell Street is more M-3 zoning and active industrial use. North of the site is Section A of the Greektown PUD and the Athena Square residential neighborhood, both zoned R-8.

HISTORY

- Ordinance #06-192, approved March 6, 2006, established the Greektown Redevelopment Residential Planned Unit Development (PUD).
- On October 4, 2007, the Planning Commission approved a Minor Amendment to the Greektown PUD, Final Subdivision and Development Plans for the Phase I residential area, and associated street closings. The subdivision was never recorded, and the street closings never proceeded through the necessary legislative process. As such, those past actions are no longer valid.

- On July 8, 2010, the Planning Commission approved a Minor Amendment to the Greektown PUD and new Final Subdivision and Development Plans for the Phase I residential area.
- On April 7, 2011 the Planning Commission approved the Final Design Approval of the Greektown Redevelopment Planned Unit Development, Phase I.
- On July 11, 2013, the Planning Commission approved a Minor Amendment to the Greektown PUD, Phase II, which authorized 20' wide townhome units.
- On April 3, 2014, the Planning Commission approved the Final Design of Phase II and Major Subdivision Final Plan
- On February 26, 2015, the Planning Commission recommended approval to CCB 15-0477 – Rezoning of certain properties in Section B of the Greektown PUD development plan.
- On October 16, 2015, the Planning Commission recommended approval to CCB 14-0439- Amendment 1 to the Greektown PUD, which authorized drive-in restaurants in Section B of the PUD.

ANALYSIS

City Council Bill #15-0600 proposes adding “dwellings” as a permitted use in Section B of the development plan to allow the construction of 13 townhomes along Macon Street, between O’Donnell Street and Dillon Street. Presently, the enabling ordinance of the PUD restricts dwellings and other residential uses- apartment hotels, foster homes, rest homes- because of their incompatibility with the established industrial land uses. Since the adjacent properties have M-3 underlying zoning, there exists the potential for those parcels to be developed with the heaviest of industrial uses, which may produce offensive noise, odors, appearances, and environmental conditions.

Staff recommends disapproval of the proposed legislation that would permit “dwellings” in Section B of the Greektown PUD. In summary, staff’s rationale is as follows:

- Section B is surrounded by M-3 zoning and active industrial and commercial land uses
- Section B was intended to be and should remain a buffer between the M-3 and R-8 zoning districts
- The intrusion of residential use in industrial zones may adversely affect the viability of established industrial operations, as well as the quality of life for potential residents.
- O’Donnell Street is an active truck route and is incompatible with residential development
- The proposed development would not meet curb cut guidelines or front and rear yard setback requirements

Background:

In 2006, Ordinance 06-189 was enacted authorizing the rezoning of properties that now comprise the Greektown PUD from M-3 to R-8. Justification for rezoning the parcels in Section A was that those properties were more geographically and contextually connected to the residential neighborhoods to the north and east. Furthermore, though surrounded by heavy industrial uses to the west and to the south, it was argued that the grade change on the western edge and the existing businesses on the southern edge of the PUD would act as buffers between the incompatible uses.

Section B of the development plan lies within that buffer zone. It is surrounded on 3 sides by industrial zoning and land uses. For this reason, it was determined that the properties comprising Section B should not be rezoned and instead remain M-3, which was more compatible with the adjacent properties.

In 2015, Ordinance 15-356 was adopted authorizing the rezoning of the properties in Section B from M-3 to B-3-1, for the purpose of permitting a drive-thru restaurant on O'Donnell Street. Justification of this rezoning was that the size and shape of those parcels were not conducive to heavy industrial use and that the properties would be more viable with commercial zoning, allowing such uses as the proposed coffee shop. At that time, residential use was still perceived as being incongruous to the industrial neighbors and not an appropriate use for the site.

Site Plan and Urban Design:

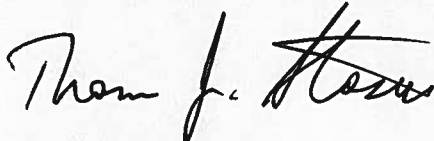
The proposed development plan concentrates on the 4526 O'Donnell Street, which is approximately 50' x 311'. The plan has not been reviewed by the Site Plan Review Committee or the Urban Design and Architectural Review Panel. However, it is staff's option that the site is too constrained to develop the typical townhouse model constructed throughout the PUD. The lots for the townhouses would be 50' deep. There is no room to provide a rear alley, so the homes would have front-loaded garages facing Macon Street, which is the primary entrance into the neighborhood from the south. If the typical 36'-4" townhouse models are built 10' from the front property line, as is typical throughout the PUD, only 3'-8" would separate the rear face of the structures from the fence of the abutting property, which is M-3.

Curb cuts needed to access the driveways would diminish the existing curb and existing public, on-street parking. However, the preliminary site plan shows a parking lot for approximately 8 spaces that could recapture the on-street spaces removed. That parking lot would need to be unreserved and open to the public. Approximately 15' currently exists between the existing curb along Macon Street and the front property line of the townhouses. This area would need to be maintained to provide streetscape elements- trees, landscape buffer, sidewalk – used throughout the PUD.

Community Input: The Planning Department received letters of support from the Greektown Community Development Corporation and Greater Greektown Neighborhood Alliance for the development of the site with residential use.

Community Notification:

The following community organizations have been notified of these actions: the Greektown Community Development Corporation, Greater Greektown Neighborhood Alliance, the owners of 1010 Oldham Street, and 4520 O'Donnell Street.



Thomas J. Stosur
Director