



MEMORANDUM

STEPHANIE
RAWLINGS-BLAKE,

PAUL T. GRAZIANO,

To: The Honorable President and Members of the Baltimore City Council
c/o Karen Randle, *Executive Secretary*

From: Paul T. Graziano, *Commissioner*

Date: August 26, 2010

Re: **City Council Bill 10-0488 - Planned Unit Development - Designation - 25th Street Station**

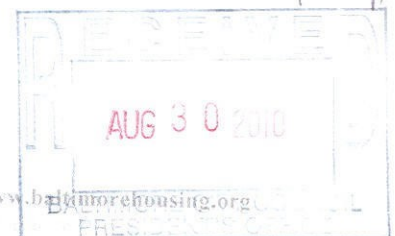
The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 10-0488, which was introduced for the purpose of approving the application of WV Baltimore-24/Sisson LLC and WV Baltimore H 25 LLC (collectively, the "Applicant"), contract purchaser(s) and/or potential owner(s) 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.

This development site is an 11 acre parcel located in the Remington and Charles Village neighborhoods and is the current location of the Anderson automobile dealership slated to close in October, 2010. The applicant proposes to construct a mixed use development that will include a Wal-Mart store (94,000 sq. ft.), a Lowe's Home Center (136, 000 sq. ft.), and other mid-sized retailers and specialty shops. In addition to the retail space, the project will also include 70-80 rental residential units and approximately 1,100 parking spaces.

The residential units will be leased at market rate. The requirements of the City's inclusionary housing law (Ord. #07-474; Baltimore City Code Art. 13, § 2B-1) do not trigger because the applicant has not requested any "major public subsidy"; there is no major infrastructure reconstruction required here; and the subject property is not publicly owned. Additional preconditions of the ordinance such as a significant land use authorization or rezoning also do not apply. A "significant land use authorization" is defined by the inclusionary housing ordinance as:

"The adoption of a Planned Unit Development or a legislatively approved amendment to a Planned Unit Development, either of which increases the permissible number of residential units by 30 or more units above the number permitted before adoption of the Planned Unit Development or amendment." See Baltimore City Code Art. 13, § 2B-1 (k)

F | Refer to plan.



A “significant rezoning” is defined as:

“Any rezoning that permits residential units where none were permitted previously.” See *Baltimore City Code Art. 13, § 2B-1 (1)*

In the case of the 25th Street Station project, the existing zoning district already permits an allowable density of 315 residential units at this site. Since the applicant is not seeking to exceed the allowable density but, in fact, intends to build substantially less units than this maximum limit permits, the project does not fall within the referenced definitions of either a significant land use authorization or rezoning and therefore would not trigger inclusionary housing requirements.

DHCD concurs with our colleagues at the Baltimore Development Corporation that the loss of the longstanding automobile dealership could have a distressing impact on the surrounding community in absence of a viable development proposal. The 25th Street Station project not only provides a stabilizing force to the area but a significant boost to the City’s economy health.

The Department of Housing and Community Development supports the adoption of City Council Bill 10-0488 and defers to the Planning Department for further comment or amendments.

PTG:pmd

cc: Ms. Angela Gibson, *Mayor’s Office of Government Relations*
Ms. Diane Hutchins, *Mayor’s Office of Government Relations*
Ms. Kaliopé Parthemos, *Deputy Mayor*