

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR
	SUBJECT	CITY COUNCIL BILL #09-0285/PLANNED UNIT DEVELOPMENT-AMENDMENT I- CHESAPEAKE PAPERBOARD

CITY of
BALTIMORE
MEMO



TO

DATE:
April 21, 2009

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

At its regular meeting of April 16, 2009 the Planning Commission considered City Council Bill #09-0285, for the purpose of approving certain amendments to the development plan of the Chesapeake Paperboard Planned Unit Development.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #09-0285 and adopted the following resolution,(nine) members being present and (nine) in favor.

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #09-0285 be passed by the City Council.

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

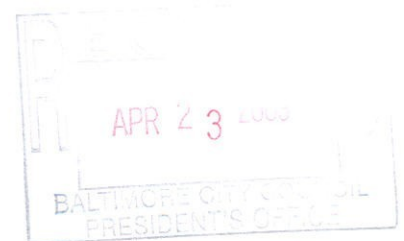
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Attachments

cc:

- Mr. Andy Frank, Deputy Mayor
- Mr. Demuane Millard, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Mr. Geoffrey Veale, Zoning Enforcement
- Mr. David Tanner, BMZA
- Ms. Nikol Nabors-Jackson, DHCD
- Mr. Larry Greene, Council Services
- Mr. Mark Sapperstein, Representative for Applicant

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PLANNING COMMISSION

STAFF REPORT

April 16, 2009

REQUESTS:

- City Council Bill #09-0285 Planned Unit Development – Amendment 1 – Chesapeake Paperboard
- Revised Final Design Approval/Chesapeake Paperboard Office Building
- Final Subdivision and Development Plan/Chesapeake Paperboard PUD

RECOMMENDATIONS:

- City Council Bill #09-028: Approval;
- Revised Final Design Approval: Approval; and
- Final Subdivision and Development Plan: Approval, subject to comments from DPW.

STAFF: Anthony Cataldo

OWNER: Chesapeake Paperboard Centre LLC

PETITIONER: Chesapeake Paperboard Centre LLC

SITE/ GENERAL AREA

General Area: The properties known as 1500 Woodall Street, 1605 Key Highway, and 1801 Key Highway are principle properties that comprise the site. The site is located in the Locust Point neighborhood on the South Baltimore Peninsula. Locust Point is a waterfront community bounded by Lawrence Street on the west to Fort McHenry on the east. The harbor borders the entire peninsula. The peninsula consists of attached residential buildings (R-8) surrounded by railroad tracks and large industrial areas along the water.

Site Conditions: The site is located at the end of Woodall Street and borders Key highway to the west and CSX railroad right-of-way to the south. The site is 11.01 acres in size and is part of the Chesapeake Paperboard PUD. It was previously occupied by the Chesapeake Paperboard factory. The factory has been demolished, and site work has begun including the retaining wall along Key Highway, entrance into the site off Key Highway, and one of the parking structures.

HISTORY

- On June 10th, 2004 the Planning Commission approved the Locust Point Master Plan
- On May 4th, 2006 the Planning Commission amended the Locust Point Master Plan to allow for mixed use development on the Chesapeake Paperboard Property.
- On December 7th, 2006 the Planning Commission approved the Final Subdivision and Preliminary Development Plan for 1500 Woodall Street – Chesapeake Paperboard Mixed-Use Center

- Ordinance #07-0428: Established the Chesapeake Paperboard Planned Unit Development
- On September 20th, 2007 the Planning Commission approved the Final Design for the Key Highway Parking Garage and Landscape Plan.
- On October 18th, 2007 the Planning Commission approved the Final Design for the Residential & Office, Office & Retail, and Second Parking Structure
- On February 21st, 2008 the Planning Commission approved the Final Design for the Signage, Office & Retail, and Street Closing for Woodall Street
- On March 6th, 2008 the Planning Commission approved the Final Design for the major Grocery Store.

CONFORMITY TO PLANS

These actions conform to Locust Point Master Plan and the Comprehensive Plan's Live Section, Goal #1: Build Human and Social Capital by Strengthening Neighborhoods; Goal #2: Elevate the Design and Quality of the City's Built Environment; Objective 2: Promote Unique Retail Venues as Shopping Destinations.

ANALYSIS

In general, the approved Chesapeake Paperboard PUD allowed for a mixed use development that comprises 110,000SF of Retail, 50,000SF of Office and 250 residential dwelling units, with 920 parking spaces. The applicant is seeking an amendment to the PUD to reflect the current design change to create additional retail space in the basement level and an additional level of the office building located at the corner of the entrance road and Key Highway.

The applicant is proposing to change what is listed as a 4 story Office Building on the corner of the Entrance Road and Key Highway to a 5 stories plus basement Office Building with retail on the 1st and basement level. This change requires a slight alteration of the adjacent courtyard to include a stair that accesses the sidewalk along Key Highway from the courtyard level. The additional square footage results in an increase of office space from 50,000SF to 57,000SF, a change in its height from 59' to 75', and redistributes some of the retail space with an overall increase from 110,000SF to 116,000SF.

The change in height required adjustments to the Office Building's elevations and therefore the applicant is seeking Revised Final Design Approval of the adjusted Office Building's elevation drawings showing retail storefront at the basement level and an additional floor of office space at the top of the building.

City Council Bill #09-0285/Planned Unit Development – Amendment 1 – Chesapeake Paperboard

Staff has reviewed this project and offers the following with respect to PUD compliance:

Because the change in occupy-able square feet adds more than the maximum allowable square feet originally set forth in the Planned Unit Development, a major amendment is necessary to approve the additional square footage in the Development Plan. CCB #09-0285 is the required

legislation needed to amend the Chesapeake Paperboard PUD in order to allow the development of the additional retail and office space.

Revised Final Design Approval/Chesapeake Paperboard Office Building

The Office Building is situated at the corner of the entrance road and Key Highway. The Office Building is a stand alone building of approximately 79,500SF. The building will contain approximately 22,500SF of retail space on the first floor and basement level, 57,000SF of office space on the upper levels 2 through 5, and will be approximately 75' tall.

To secure Revised Final Design Approval, the applicant has submitted to the Planning Department the site plan, landscape plan, and building elevation drawings for the project.

- **Site Plan Review:** The site plan for the project was previously reviewed by staff and approved on January 17, 2007 as part of the PUD approval for this project. Staff reviewed and accepted the proposed courtyard, building, and square footage calculation changes. It was noted that the development team must ensure that the sidewalk entering the site from Key Highway is at a slope that allows handicap accessibility. The new building elevations were presented to the community and also reviewed by staff.
- **Building Elevations:** The applicant has successfully gone through the final design approval process through the Planning Commission for all buildings within the development. As the current plan shows, the buildings will vary from a 1 story major retail space to a 6 story mixed use building. Materials will include brick, concrete block, and pre-cast concrete. Staff reviewed the proposed elevations for the Office Building and found them consistent with the buildings already approved for the project.
- **Landscape and Forest Conservation:** The applicant has submitted a conceptual landscape plan that has been reviewed and preliminarily approved by staff. The landscape plan shows plantings along the streets within the site as well as a planted median in the entrance road. There are also potted plantings within the Plaza area and other plantings along the steep bank along Key Highway. The development triggered Forest Conservation and the plan has met the requirements and been approved by staff.

Final Subdivision and Development Plan/Chesapeake Paperboard PUD

- **Subdivision Plan Requirements:** The proposed subdivision creates 14 surface and horizontal lots and a series of easements for elevators, stairwells, and lobbies between lots. This project complies with the City's rules and regulations relative to land subdivision within Baltimore City. The proposed new lots are identified below:

Lot 1: Horizontal Lot – Southern most lot (nearest to I-95), 1.96 acres, retail-grocery store.

Lot 2: Horizontal Lot – Site adjacent to Key Highway, .8331 acres, parking structure.

Lot 3: Vertical Lot from surface to el. 45.60 – west side of Whetstone Way, .3761 acres, retail.


- Lot 4: Vertical Lot, from surface to el 45.60 – west side of Whetstone Way, .2308 acres, retail.
- Lot 5: Vertical Lot, from el 45.60 to el 101.3 – west side of Whetstone Way, .7773 acres, residential.
- Lot 6: Vertical Lot, from surface to el 43.60 – east side of Whetstone Way, .4389 acres, retail.
- Lot 7: Vertical Lot, from surface to el 45.60 – east side of Whetstone Way, .2878 acres, retail.
- Lot 8: Vertical Lot, from el 45.60 to el 118.6 – east side of Whetstone Way, .8692 acres, residential.
- Lot 9: Horizontal Lot – eastern most lot, 1.2455 acres, parking structure
- Lot 10a: Vertical Lot, from surface to el 40.70 at the corner of Key Highway and McHenry Row, .3845 acres, office.
- Lot 10: Vertical Lot, from el 40.70 to el 111.7 at the corner of Key Highway and McHenry Row, .4440 acres, retail.
- Lot 11: Horizontal Lot – area south of Office Building adjacent to Key Highway, .4295 acres, common lot- plaza and stair.
- Lot 12: Horizontal Lot – Entrance into development off of Key Highway, .4226 acres, common lot-private road-McHenry Row.
- Lot 13: Horizontal Lot – Main streets through development, 2.8951 acres, common lot-Whetstone Way and driveways.
- Lot 14: Horizontal Lot – North of McHenry Row, .1399 acres, common lot-utilities and landscape area.

Easements: A series of pedestrian and service easements for stairways, elevators, lobbies, etc. have been established between lots.

- **Development Plan:** The project consists of 116,000SF of Retail, 57,000SF of Office and 250 residential dwelling units, with 920 parking spaces. The plan contains two main parking structures. The structure on the east side contains 415 parking spaces and connects to a building containing 125 residential units on five floors over 24,500 SF of retail space on the first floor. The structure on the west side contains 312 parking spaces and connects to a building containing 125 residential units on five floors over 27,000 SF of retail space on the first floor. At the corner of Key Highway and the entrance road (McHenry Row) there is a 79,500 SF building containing retail uses on the first floor and basement with 4 levels of office space above. The southern part of the development contains a 42,000 SF retail building for a grocery store. There is surface parking, outdoor plaza space, and landscaping throughout the site connecting the individual buildings and creating a cohesive development.
- **Critical Area and Floodplain Requirements:** Stormwater management is required and a portion of the site is within in the Chesapeake Bay Critical Area and the 100 year Floodplain. The requirements thereof have been met by the development plan and have been pre-approved by the Critical Area Commission.

- **Sustainability:** The applicant was informed that all buildings within Baltimore City applying for permits after July 1, 2009 for commercial and multifamily buildings over 10,000SF will be required to meet the equivalent of the LEED "silver" level.

The following organizations have been notified of these actions: Fort McHenry Business Association, Riverside Action Group, and the Locust Point Civic Association.



Thomas J. Stosur
Director