


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 #08-0111/ PLANNED UNIT DEVELOPMENT AMENDMENT 1- MARKET PLACE AT FELLS POINT		

TO

DATE:

June 2, 2008

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 #08-0111, for the purpose of approving Amendment I to the Marketplace at Fells Point PUD. The original PUD was approved May 17, 2007 by Ordinance #07-435.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #08-0111 and adopted the following resolution, nine members being present (nine in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #08-0111 be passed by the City Council.

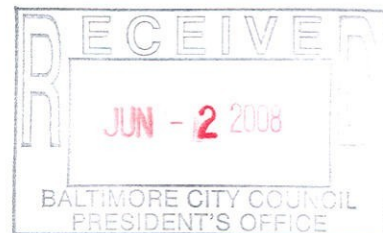
If you have questions, please contact Mr. Gary W. Cole, Deputy Director at 410-396-8337.

DBM/GWC/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



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PLANNING COMMISSION

STAFF REPORT

May 29, 2008

REQUEST: City Council Bill #08-0111/Planned Unit Development – Amendment 1 – Marketplace at Fells Point

For the purpose of approving certain amendments to the Development Plan of the Marketplace at Fells Point Planned Unit Development.

RECOMMENDATION: Approval, subject to CHAP review and approval.

STAFF: Robert Quilter

PETITIONER: South Broadway Properties, LLC

OWNERS: South Broadway Properties, LLC, John E. Demirjian, Susan B. Justice, Anthony Stachowiak and Mayor and City Council of Baltimore

SITE/ GENERAL AREA

Site Conditions: The properties in this proposed PUD generally fall within the area bordered by Fleet Street to the north, Register Street to the east, Aliceanna Street to the south and Bethel Street to the west. These two full city blocks are filled with a variety of nineteenth and early twentieth century row buildings. Two and three story traditional brick structures are predominant. Broadway, the main commercial street in Fells Point, bisects this area and is highlighted by commercial establishments that front what remains of the historic Broadway Market North Building, located in the center median of Broadway. Broadway continues both north and south of this 600 block. To the north it features a center planted median. To the south, in the 700 block, is an additional wood market shed building and a parking lot. Further south, in the 800 block is a large pedestrian square that faces Thames Street and the waterfront. At the southern tip of Broadway, past Thames Street, are Broadway extended and the Broadway Pier. To the east and west of the Broadway buildings are small alley structures that face Register and Bethel Streets respectively.

General Area: One of the three original settlements from which Baltimore City arose, Fells Point exhibits a variety of architectural styles, from pre-Revolutionary War to post-Civil War. These buildings are of archaeological as well as aesthetic importance. In addition to its architectural features, Fells Point occupies a central role in the history of Baltimore. It was connected to the maritime trade in the early 19th century, participating in the shipbuilding industry that made Baltimore famous. Up to the present day, it has been populated by successive waves of immigrant communities, each of which has left its mark on the district. The urban fabric of the neighborhood is mainly brick rowhouse

construction with larger symbolic institutional buildings, public market buildings and industrial buildings, all dating from several centuries. Broadway establishes the major north-south commercial spine for the neighborhood and includes wide sidewalks, a median to the north of the Broadway Markets and a public square to the south of the Markets as it terminates at Thames Street and the waterfront. East-west streets such as Eastern Avenue, Fleet and Aliceanna Streets are also commercial in character and use. Other north-south streets such as Bond, Wolfe and Ann Streets are generally residential in character, with limited commercial uses. Additionally, Fells Point has a matrix of smaller "alley streets" such as Bethel and Register that are narrow and were developed with smaller dwellings for artisans and laborers. Currently the community has a mixture of zoning areas that, with pending rezoning legislation, will be changed to more correctly represent the uses within.

HISTORY

- Ordinance #75-999, approved October 14, 1975, established the Fells Point Urban Renewal Plan (URP).
- Ordinance #06-197, approved April 11, 2006, was the last amendment to the Fells Point URP.
- Ordinance #07-429, approved May 17, 2007, allowed for the rezoning of certain properties in Historic Southeast Baltimore
- Ordinance #07-435, approved May 17, 2007, established the Marketplace at Fells Point Planned Unit Development
- Ordinance #07-555, approved November 26, 2007, established the Fells Point Historic District and a review process by CHAP for Planned Unit Developments in said district.
- Ordinance #07-0569, approved November 27, 2007, repealed the existing Fells Point Urban Renewal Plan and established the Fells Point Waterfront Urban Renewal Plan.

CONFORMITY TO PLANS

With the proposed inclusion of the Broadway Pier parcel (920/950 South Broadway), the proposed amended PUD will fall partially within the Fells Point Waterfront Urban Renewal Plan. The proposed PUD legislation is generally consistent with the goals and objectives of that plan. .

This proposed PUD includes mixed-use development – housing, office and business. It also focuses on renovation, adaptation and expansion of historic buildings and resources. It therefore meets the Comprehensive Plan's Live Goal 1, Objective 1; Earn Goal 1, Objective 1 and Play Goal 1, Objective 2.

ANALYSIS

City Council Bill #08-0111 proposes Amendment 1 to the Marketplace at Fells Point PUD. The original PUD was approved May 17, 2007 by Ordinance #07-435.

The Marketplace at Fells Point PUD is currently comprised of thirty (30) properties. Three of these properties are owned by the City. The total PUD size is 4.405 acres. Now the development team, South Broadway Properties, LLC has identified two additional

privately-owned properties and with the addition of two more City-owned properties proposes to expand the boundaries of the PUD to include these four (4) extra properties. They are:

616 South Regester Street and 620 South Broadway (privately-owned properties) and 1630 Aliceanna Street and 920-950 South Broadway (city-owned properties)

616 South Regester and 620 South Broadway are currently owned by entities other than the City or South Broadway Properties, LLC. It is noted in Section 2 of the bill that “these properties shall not be regulated by this Ordinance until the City or South Broadway Properties, LLC, or its successors or assigns, has acquired title to the properties.”

Therefore, with the inclusion of all four properties, the proposed PUD would increase from 4.405 to 5.91 acres. The enlarged PUD area will allow for a desired higher residential unit count that is deemed necessary to make the project feasible.

Zoning:

As a result of Ordinance #07-0429 (Historic Southeast Rezoning), enacted May 17, 2007, the properties within this PUD area are zoned B-2-2 or R-8.

Original Development Concept:

South Broadway Properties, LLC proposed to develop this PUD in an effort to revitalize a portion of the Fells Point neighborhood that had been seen as fledgling. Many of the properties within the PUD were either vacant or underutilized, and had been so for many years. The development team considered the Broadway Markets, while functioning on the surface, to have a greater capacity for stimulating economic growth and investment, both within the markets as well as spreading to the surrounding properties and general Fells Point area. The vision for The Marketplace at Fells Point therefore centered around the redevelopment and enhancement of the Broadway Markets and renovation and redevelopment of the immediate blocks to the west and east. Historic rehabilitation of significant South Broadway facades was to closely follow the goals and objectives of the then-existing Fells Point Urban Renewal Plan. Redevelopment of the rears of these properties and developing a sizable, dovetailed parking structure on the interior of the block and along Bethel Street were strategic components of the PUD and also followed many of the goals of the plan. While some demolition of historic fabric was deemed necessary to achieve the entire PUD, the amount of demolition had been contained mainly to structures along the 600 block South Bethel Street, a block that had seen little investment in recent years and compromising intrusions in the past.

Developing mixed use and structured parking was considered the key strategy to revitalizing the 600 block South Broadway area. Therefore, the plan called for a mixture of office/retail and residential uses along Broadway and Fleet Street. A 242 space parking structure had been sited off the 1600 block Fleet Street, allowing for a mixed use frontage and air rights development. A 20 space surface lot was proposed off Regester Street.

Proposed (Revised) Development Concept:

South Broadway Properties proposes this amendment mainly to modify the northwest quadrant development program for the PUD, due to current market conditions. This is the portion of the block bounded by Fleet, Bethel, Aliceanna and South Broadway within the boundaries of the PUD. The office component is proposed to be removed completely and the residential program increased in unit count. There will be two levels of parking at the base, one below grade and one above with the four residential levels above. This portion of the PUD area continues to propose rehabilitation of historic Broadway facades as mainly retail, with new construction set back (30' depth) and behind to a reduced height limit from 90' (current) to 60' (proposed). The additional City-owned Comfort Station property at 1630 Aliceanna Street, located in this block, would be preserved in the front portion and expansion allowed in the rear up to the same 60'.

Overall, within the entire PUD, this amendment proposes a total of up to 159 residential units. Additionally, the parking ratio is proposed to be reduced from 1.5/unit (a requirement of the former Fells Point Urban Renewal Plan) to .75/unit on-site and possibly an additional .25/unit through a lease arrangement at the Fleet/Eden garage. Relative to the portion of the PUD east of Broadway, the setback height limit (behind the 600 block Broadway facades) is now proposed at 60', where 50' was previously approved. There are other no substantive changes to the proposal relative to the development program for the Broadway Markets, open space or the eastern portion of the PUD.

Broadway Pier Inclusion:

The proposed expanded PUD intends to include 920-950 South Broadway, City-owned property known as Broadway extended and Broadway Pier. The PUD is explicit that the Pier remains as open space, with the southern lot, 950 South Broadway to remain as promenade and currently subject to existing Broadway Pier Policy. This policy regulates public gatherings, dockage along the pier edges and protective measures to ensure the preservation of the Pier's unique paved surface.

CHAP Review:

The Fells Point Historic District was created by Ordinance #07-555 and approved on November 26, 2007, after the Marketplace at Fells Point PUD was established. However, the ordinance also included the provision that all major amendments to existing PUDs in the district are subject to CHAP approval. Therefore this amendment will require CHAP review and approval.

Site Plan Review Committee (SPRC):

On April 30, 2008, the SPRC accepted the amended Master Plan proposal. The project's final site design and building layout will be required to be submitted to SPRC for review and approval at a later date.

Traffic Impact Study:

The existing Traffic Impact Study that was done for this project will require modification to reflect programmatic changes. The applicant must work with DOT on the Traffic Mitigation Agreement.

Critical Area Review:

This site is in the Critical Area of the Chesapeake Bay. The applicant will have to assess this project's Critical Area requirements during the further development stages of this project. Staff will work with the applicant to ensure that this project is in compliance with the City's Critical Area Requirements.

Floodplain:

As the project continues to develop, it must meet all pertinent floodplain requirements.

The following community groups and City agencies were notified of this meeting: Baltimore Hispanic Business Group, Broadway Area Business Association, Douglass Place C.A., Fells Point Community Organization, Fells Point Development Corporation, Fells Point Homeowners, Fells Prospect, Greenspace Action Partnership, Mid Point Community Association, Perkins Homes RAC, Preservation Society, Upper Fells Point I.A., Waterfront Coalition, Fells Point Task Force, Baltimore City Markets, Department of Transportation and the Department of Recreation and Parks, and BDC.

A handwritten signature in black ink that reads "Douglas B. McCoach, III". The signature is written in a cursive style and includes a horizontal line at the end.

Douglas B. McCoach, III
Director