


TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #11-0763/ PLANNED UNIT DEVELOPMENT – DESIGNATION – HOLLANDER 95 BUSINESS PARK		

DATE: September 23, 2011

TO

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

At its regular meeting of September 22, 2011 the Planning Commission considered City Council Bill #11-0763 for the purpose of approving the application of FRP Hollander 95, LLC, which is the owner of certain properties known as Block 6220, Lots 34, 35, 36, 37, 38, 39, 40, 41, and 42 (collectively, the “Property”), to have the Property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #11-0763 adopted the following resolution; seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #11-0763 be amended and passed by the City Council.

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

TJS/WA/ewt

Attachment

- cc: Ms. Kaliopé Parthemos, Deputy Mayor
 Mr. Peter O’Malley, Chief of Staff
 Ms. Angela Gibson, Mayor’s Office
 The Honorable Bill Henry, Council Rep. to Planning Commission
 Mr. David Tanner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Nikol Nabors-Jackson, DHCD
 Ms. Barbara Zektick, DOT
 Ms. Elena DiPietro, Law Dept.
 Ms. Karen Randle, Council Services
 Mr. Stanley Fine, Attorney for applicant



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

September 22, 2011

REQUEST: City Council Bill #11-0763/ Planned Unit Development – Designation – Hollander 95 Business Park:

For the purpose of approving the application of FRP Hollander 95, LLC, which is the owner of certain properties known as Block 6220, Lots 34, 35, 36, 37, 38, 39, 40, 41, and 42 (collectively, the "Property"), to have the Property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

RECOMMENDATION: Amendments and Approval, with one amendment:

- That the development plans are replaced by sheets amended on September 16, 2011, which list initial development rights allocated to each parcel, subject to amendment as may be needed over time.

STAFF: Eric Tiso

PETITIONER(S): FRP Hollander 95, LLC, c/o Stanley S. Fine, Esquire

OWNER: FRP Hollander 95, LLC

SITE/ GENERAL AREA

Site Conditions: These properties are adjacent to the eastern boundary of the City, and were part of the former Hollander Ridge federal public-housing complex. Hollander Ridge was demolished in 2000 to allow for by-right redevelopment as an industrial/business park known as Hollander-95. One warehouse building was built.

General Area: This development site is in the eastern-most portion of the Pulaski Industrial Area, and is immediately southeast of the intersection of I-95 and I-895. Moore's Run Park is to the north, across I-95. Up the steep slope to the east is the Rosedale community in Baltimore County.

HISTORY

- At its regular meeting of November 3, 2005, the Planning Commission approved the Final Subdivision Plan, dated November 2, 2005, and the Final Development Plan dated October 14, 2005, to consolidate and re-subdivide the property known as Hollander 95 Business Park into ten lots for the development of a mixed-use business park.
- At its regular meeting of August 19, 2006, the Planning Commission approved the 1st Amended Final Subdivision Plan, dated August 10, 2006, to revise the property right-of-way line for 62nd Street. The revision is needed for the re-construction of 62nd Street at the intersection of Pulaski Highway.
- At its regular meeting of April 17, 2008, the Planning Commission approved the Revised Final Subdivision Plan, dated March 27, 2008 to adjust the lot line between Lot #33 and Lot #34. The adjustment would enlarged Lot #33 by 5,675 square feet and reduces Lot #34 by the same amount.

CONFORMITY TO PLANS

The proposed action is consistent with the City of Baltimore's Comprehensive Master Plan, under EARN, Goal 1: Strengthen Identified Growth Sectors, Objective 1: Retain and Attract Businesses in all Growth Sectors. Specifically, it is consistent with the goal to "create an industrial mixed-use zoning district."

ANALYSIS

Project: The Hollander-95 project had begun following the clearance of the site when the former Hollander Ridge housing project was demolished. The intent at the time was to create an industrial/office park that would be developed under by-right regulations. A majority of the site is zoned M-1-2, with the southern portion of the site (Lot 34) zoned B-2-2. The thought was to provide for industrial and warehouse uses on the majority of the site, with perhaps a convenience store or similar use on the southern B-2-2 lot. In the years since, one warehouse building has been built.

Now that FRP Hollander 95, LLC has purchased these properties, they would like to establish a Planned Unit Development (PUD) on the site in order to allow for some flexibility in attracting tenants – without which, they feel that the industrial park will not develop successfully with only the underlying zoning.

Uses:

The intent of the proposed use list is to add certain land uses that would either not be permitted in the PUD that would be complementary to a modern industrial/business park, or that would require additional individual public hearings that would make it difficult to attract a tenant in a timely fashion. In addition to the uses allowed by the underlying zoning districts, the PUD will allow for additional uses in all areas of the PUD, as listed below:

1. all permitted, accessory, and conditional uses as allowed in the M-1 Zoning District
2. other storage uses as permitted under § 7-406(82) of the Zoning Code
3. arts - industrial
4. banquet hall
5. broadcasting station (TV or radio)
6. daycare center, adult or child
7. drive-through facility
8. community based alternative energy
9. financial institution
10. medical/dental clinic
11. office
12. personal services establishment
13. restaurant
14. retail goods establishment – no alcohol sales.

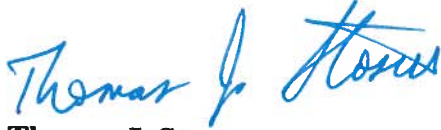
For Area C only, the additional hotel/motel use is allowed. Finally, dwellings are prohibited throughout the PUD.

Development Plan: The proposed development plan shows the existing warehouse structure and the existing Royal Farms store, along with a menu of conceptual options for the development of the remaining parcels. Two parcels (B1 & B2) are designated for stormwater management facilities, as approved prior to May of 2010 (under the previous regulations). As each lot develops, a final design showing the footprint, elevations, landscaping, and signage for each building will need to be approved by the Planning Commission. In that approval, as each parcel is developed, the amount of development potential used by the proposed building will be listed on a revised PUD sheet. Any unused development potential will be available for transfer to another parcel, as may be needed, or may be retained for future redevelopment.

This proposed PUD meets the Governance Standards under § 9-112 of the Zoning Code. In reviewing the conditional use standards under §§ 14-204 and 14-205, staff does not find that there will be any adverse impacts on the constituent lots, or surrounding parcels.

Amendment: Staff recommends an amendment to require that the development plans list initial development rights allocated to each parcel, subject to amendment as may be needed over time. This initial allocation is important based on recent experience with a PUD that started with one owner, but ended up with several owners over time. It should be made clear from the establishment of this PUD that each parcel has a certain amount of “default” development rights that will need to be approved by the Planning Commission in a future Final Design Approval. Without such “default” allocation of rights, the entire development potential of the PUD is available to the first applicant, whether or not private agreements are in place (these are invisible to the Planning Commission), and regardless of whether any coordination between parcel owners has taken place. With such an amendment, staff recommends approval of the bill.

Notifications: Staff sent notification of this meeting to the Eastern Community Action Center, the Frankford Improvement Association, Inc., the Gardenville/Belair Road Business Association, and Harbel Community Organization, Inc.



Thomas J. Stosur
Director