

FROM	NAME & TITLE	GARY W. COLE, ACTING DIRECTOR <i>G Cole</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #08-0215 PLANNED UNIT DEVELOPMENT WESTPORT WATERFRONT (CORRECTIVE)		

DATE: November 26, 2008

TO

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

At its regular meeting of November 20, 2008 the Planning Commission considered City Council Bill #08-0215, for the purpose of correcting an error pertaining to height limits that occurred as the enabling legislation for the Westport Waterfront PUD was being reviewed.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill 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 #08-0215 be passed by the City Council.

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

GWC/ttl

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. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Nikol Nabors-Jackson, DHCD
- Mr. Larry Greene, Council Services
- Ms. Deepa Bhattacharyya, Law Department
- Ms. Sandra Gutman, Law Department
- Ms. Cara Frye, Attorney

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PLANNING COMMISSION

STAFF REPORT

November 20, 2008

REQUEST: City Council Bill #08-0215/Planned Unit Development – Westport Waterfront (Corrective)

For the purpose of amending Ordinance 07-609 to include parcel height limits that were previously approved and referenced on an unpublished exhibit but that were inadvertently omitted from the published text of the Ordinance

RECOMMENDATION: Approval

STAFF: Natasha Becker

PETITIONER: The Administration (Department of Planning)

OWNERS: Westport Development Group LLC, Inner Harbor West LLC, Inner Harbor West II LLC, and Turner Development Group Inc.

SITE/GENERAL AREA

Site Conditions: The project area comprises the majority of property on the Westport waterfront. The area comprises approximately 72 acres, and is currently zoned B-2-3 with a Planned Unit Development (PUD) designation overlay. The project area is composed of formerly industrial parcels on the waterfront with riparian rights. Because of silting, this waterfront is no longer viable for shipping and is not included within the boundaries of the Maritime Industrial Zoning Overlay District. The waterfront includes two large abandoned properties: the former Carr-Lowry glass manufacturing plant and a former BGE power plant, totaling nearly 30 of the PUD's 72 acres. Demolition and preliminary site work including grading has begun on these properties. The entire project area is separated from the Westport neighborhood by right-of-way parcels owned by CSX and MTA. However, the project area benefits from close proximity to the Westport Light Rail stop.

General Area: Westport is located on the western shore of the Middle Branch Harbor of the Patapsco River. It is located between I-95 to the north, I-295 to the west, and Waterview Avenue to the south. The Westport neighborhood is directly south of the Carroll Camden neighborhood and directly north of the Cherry Hill neighborhood

HISTORY

- Ordinance No.02-296, approved by the Mayor and City Council on March 6, 2002, established the Carroll Camden Urban Renewal Plan.

- Westport, Mount Winans, Lakeland Communities Master Plan approved by the Planning Commission on March 10, 2005.
- Ordinance No. 05-0192, approved by the Mayor and City Council on November 11, 2005, Rezoned 2033 Kloman Street, 2099 Kloman Street, 2101-2121 Kloman Street, 2200 Kloman Street, 2201-2221-2301 Kloman Street, 2831 Waterview Avenue, 2841 Waterview Avenue, and Portions of MTA Rights-of-Way to the B-2-3 Zoning District.
- The Middle Branch Master Plan was approved by the Planning Commission on September 20, 2007.
- On October 23, 2008, the Planning Commission recommended approval of City Council Bills #08-0160, 08-0161 and 08-0162 to have the Westport Waterfront PUD area designated as a Tax Increment Financing (TIF) district. That legislation is still pending.

CONFORMITY TO PLANS

This Planned Unit Development and accompanying rezoning is consistent with the land use and rezoning recommendations of the Middle Branch Master Plan. However, companion Urban Renewal amendment legislation is needed before mixed use development may occur.

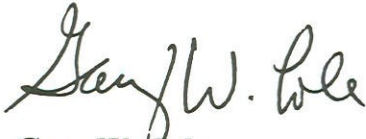
The proposed legislation is consistent with the Baltimore City Comprehensive Master Plan: LIVE Section, Goal 1, Objective 1: Expand Housing Choice for all Residents and Goal 1, Objective 5: Increase the City's Population by 10,000 Households in 6years.

ANALYSIS

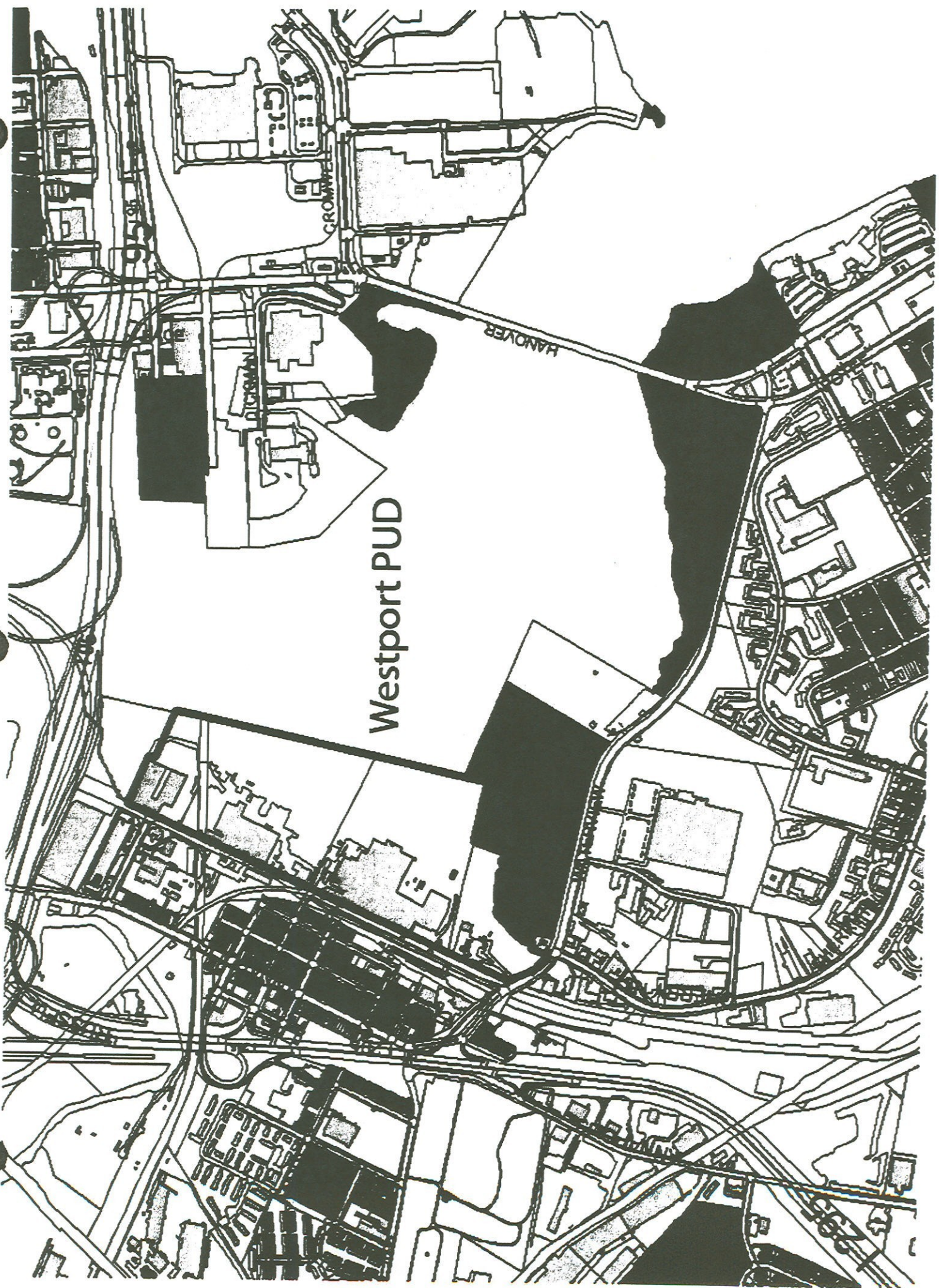
The Westport Waterfront Planned Unit Development was enacted to authorize the development plan of Inner Harbor West LLC, Inner Harbor West II LLC and Turner Development Group, Inc. for a 71.94 acre property on the west bank of the Middle Branch of the Patapsco River.

The purpose of this corrective legislation is to right an error that occurred as the PUD's original enabling legislation was being reviewed. At the time the original enabling legislation was considered at Planning Commission, staff made a recommendation to modify a section of the bill pertaining to height limits and massing. Staff's recommendation was further modified by the Planning Commission. When the Commission's final approval memo was conveyed to City Council, the modified height limits were shown on an attached exhibit, the text of which was to be included in 2nd and 3rd reader versions of the bill. However, the final signed ordinance referenced the unpublished exhibit, rather than including the actual height limits in the legislation. As such, the proposed legislation simply moves the already existing height limits into the body of the legislation itself. No other change is proposed.

The following community groups have been notified of the proposed legislation:
Westport Improvement Association, Inc, Westport Community Council, Cherry Hill
2000, Cherry Hill Development Corporation, Cherry Hill Improvement Association,
Cherry Hill Tenants' Council, Mt. Winans Community Association, Southwest
Community Council, Inc, Carroll/Camden Industrial Business Association, Lakeland
Community Association, and Project TOOUR, Inc.



Gary W. Cole
Acting Director



Westport PUD

CROWLEY

HANOVER

CROGAN