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| FROM | NAME & TITLE | GARY W. COLE, ACTING DIRECTOR <i>Stole</i> | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR | | |
| | SUBJECT | CITY COUNCIL BILL #08-0166/PLANNED UNIT DEVELOPMENT- DESIGNATION-STATE CENTER TRANSIT-ORIENTED BUSINESS PLANNED UNIT DEVELOPMENT | | |

DATE:
September 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 September 25, 2008 the Planning Commission considered City Council Bill #08-0166 for the purpose of approving the application of the State of Maryland (the "State") and the City of Baltimore (the "City"), owners of certain property located in and around the State Center area, including 1100 North Eutaw Street (Block 459, Lot 1), "No address" (Block 459, Lot 2), "No address" (Block 459, Lot 3), 300 West Preston Street (Block 460, Lot 1), "No address" (Block 460, Lot 2), 231 29th Division Street (Block 460, Lot 3), 301 West Preston Street (Block 478, Lot 1), 201 West Preston Street (Block 478, Lot 2), and "Armory Parking Lot North" and "Armory Parking Lot East" comprising 1.70 acres (No Block or Lot, but constituting Rights-of-Way), respectively, (collectively, the "State Center" or the "Property"), consisting of approximately 32.65 acres of land, streets and open space inclusive, more or less, to have the State Center designated a Business Planned Unit Development; and approving the Development Plan submitted by the State and City.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommends amending and approving City Council Bill #08-0166 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 #08-0166 be amended and 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, Mayor's Office
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Mr. Geoffrey Veale, Zoning Enforcement
- Mr. David Tanner, BMZA



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Re: CITY COUNCIL BILL #08-0166/PLANNED UNIT DEVELOPMENT-
DESIGNATION-STATE CENTER TRANSIT-ORIENTED BUSINESS
PLANNED UNIT DEVELOPMENT

Ms. Nikol Nabors-Jackson, DHCD
Ms. Larry Greene, Council Services
Ms. Deepa Bhattacharyya, Law Department

PLANNING COMMISSION

STAFF REPORT

September 25, 2008

REQUEST: City Council Bill #08-0166/Planned Unit Development Designation – State Center Transit Oriented Business Planned Unit Development

RECOMMENDATION: Amend and approve (Specific amendments are listed at the end of this report).

STAFF: Natasha Poole and Carmen Morosan

PETITIONER: State of Maryland (Maryland Department of General Services) and Struever Bros. Eccles & Rouse

OWNER: State of Maryland and City of Baltimore

SITE/GENERAL AREA

Site Conditions: The proposed State Center Planned Unit Development is comprised of approximately 32 acres in midtown Baltimore. The area is bounded by Madison Avenue to the south, Martin Luther King Jr. Blvd. to the east, Howard Street to the north, and 29th Division Street and Dolphin Street to the west. The State Center/Cultural Center Metro station is located within the site on West Preston Street, while the Cultural Center Light Rail station is located just outside the site's boundaries. Currently, State Center is comprised of four main office buildings, the Fifth Regiment Armory Building, and associated parking lots. The site's immediate neighbors include McCulloh Homes, Maryland General Hospital, the Maryland Institute College of Art, Symphony Center, Bolton House, and the Bolton Hill Swim Club. The entirety of the site has a B-2-4 zoning designation.

General Area: State Center is located at the northern end of the Martin Luther King Jr. Boulevard and is proximate to a multitude of communities, including: Bolton Hill, Charles North, Heritage Crossing, Madison Park, Marble Hill, McCulloh Homes/Spencer Gardens, Mt. Vernon/Belvedere, Seton Hill, and Upton. Institutions in the area include Maryland General Hospital, Maryland Institute College of Art, University of Maryland Medical Center University of Maryland at Baltimore, the University of Baltimore, and Meyerhoff Symphony Hall. In addition to Metro and Light Rail access, the site is served by a number of bus lines and enjoys close proximity to I-83, I-95 and I-295.

HISTORY

There have been no previous Planning Commission actions involving the subject property.

CONFORMITY TO PLANS

The request is found to be supportive of Baltimore City's Comprehensive Master Plan, specifically:

- LIVE Goal 1, Objective 5: Increase the City's Population by 10,000 Households in Six Years
- LIVE Goal 2, Objective 3: Promote Transit Oriented Development (TOD) and Mixed-Use Development to Reinforce Neighborhood Centers and Main Streets
- LIVE Goal 2, Objective 5: Improve Water Quality and the Environmental Sustainability of the Chesapeake Bay
- LIVE Goal 3, Objective 2: Facilitate Movement Throughout the Region
- EARN Goal 3, Objective 1: Enhance Transportation Options to Provide Workers with Commuting Options and Mitigate Traffic Congestion
- EARN GOAL 3, Objective 2: Promote Economic Development Throughout the City by Improving Business-to-Business Connectivity via Transportation Linkages
- PLAY Goal 2, Objective 2: Promote Unique Retail Venues as Shopping and Tourist Destinations
- LEARN Goal 4, Objective 2: Encourage the Use of Public Transit to Travel to Schools

ANALYSIS

State Center is a state-owned office complex in Midtown Baltimore with approximately 3,000 government workers, employed by the numerous State agencies and departments on site. The State has found itself at a crossroads with respect to the future of the decades-old site, given its current state of disrepair and the State's desire to maximize currently underutilized transit linkages. Rather than investing \$300+ million to extend the life of the site's existing buildings, and making do with the site's uninviting concrete environment, lack of pedestrian amenities, dangerous street crossings, limited food and retail options, and non-existent connections between the Metro and Light Rail stops, the State is embarking on a catalytic redevelopment of the site with the goal of creating a transit-oriented, mixed-use, mixed-income community that promotes the use of public transit, encourages biking and walking and maximizes use of open spaces.

In 2004, the State of Maryland together with the City of Baltimore began working to create a Transit Oriented Development (TOD) Strategy for State Center. In March 2006, the State of Maryland selected a development team made up of three main partners – Struever Bros. Eccles & Rouse (SBER), McCormack Baron Salazar (MBS) and Doracon Development – to redevelop the site. State office uses are still to be a major component of the project under the proposed redevelopment plan. And though the site is currently State-owned, the intended outcome is for ownership to be transferred to the master developer (SBER) and to have the State lease back office portions of the site in the future.

Since being selected, the development team has built on the prior public process initiated by the State which led to creation of the State Center Neighborhoods Alliance. The Alliance helped facilitate discussion on State Center redevelopment issues with residents from the following communities: Bolton Hill, Charles North, Heritage Crossing, Madison Park, Marble Hill, McCulloh Homes/Spencer Gardens, Mt. Vernon/Belvedere, Seton Hill, and Upton. Over the past two years, the development team went through a collaborative five-stage planning process known as CitiScaping to develop a Master Plan for the redevelopment of the State Center site.

The Master Plan that resulted from this Public/Private/Community Partnership was presented to the City's Urban Design and Architectural Review Panel in the Spring of 2008 and received its

approval. Shortly thereafter, legislation was introduced to the City Council in July of 2008 to have the site designated a Business Planned Unit Development. The legislation authorizes a maximum floor area of approximately seven million square feet and up to 2,000 residential dwelling units. Further specifics of the plan for the site are detailed on the legislation's corresponding Development Plan.

In its review of the current request, staff has considered the following issues:

Master Plan:

The proposed development program for the site includes the following:

- Approximately 2.1 million square feet of office space (1.5 million square feet of State office space and 583,000 square feet of private office space);
- Approximately 1,500 residential dwelling units across 2 million square feet, with a commitment to affordable housing;
- Approximately 265,000 square feet of retail space;
- 345,000 square feet of civic space (300,000 in the 5th Regiment Armory Building plus 5,000 in a new Metro station and public green); and
- Approximately 5,500 parking spaces in shared structured parking

These uses have been laid out across the site in a manner that reinforces West Preston Street as the central spine through the district. This is where the existing Metro stop is located, where a new Metro station building and public green are proposed, where the predominance of retail and restaurant activity will occur, and where the tallest buildings are planned. Eutaw Street is improved with the addition of medians and a bike lane to help replicate the boulevard feel experienced further north in Bolton Hill and to help slow vehicular traffic and better integrate bike and pedestrian users.

Existing structures on site to be retained include 301 West Preston (which will be converted to residential use), a portion of 201 West Preston (which will be selectively demolished), and the 5th Regiment Armory Building (which may be modified to allow for additional entrances and transparency along Preston Street). All other elements of the development program will entail new construction. Building massing is highest in the center of the site, where an iconic tower is proposed at the northeast corner of Eutaw and Preston directly adjacent to the Metro station and green space. All other buildings step down in height from the center. The Dolphin and Madison street sides of the development have the lowest height limits, relating to the residential areas they abut, while the Martin Luther King Jr. Boulevard and Howard Street sides of the development have mid-level height limits. Height limits applied on a parcel-by-parcel basis across the entirety of the site area range from 50' to 345'.

A highlight of the proposed development is its focus on being both pedestrian and bike friendly. Roadway dimensions have been reduced to make room for on-street parking and wider sidewalks

that allow for outdoor cafes and public gathering spaces. Bike storage facilities are proposed throughout the site to encourage bike-transit linkages. The focus on pedestrians and cyclists also bears relation to the development team's commitment to green building standards, as evidenced in the language of the bill.

Parking for the project is being supplied in mid-block parking garages that will be wrapped by the housing, office, and commercial uses. The parking requirements stipulated on the PUD Development Plan exceed those of the underlying B-2-4 zoning. If the parking requirements of the underlying zoning district were to be applied to the new development, this would mean that no parking would have to be provided for any of the retail uses. One parking space would be created for every 2 dwelling units, and 1 space would have to be provided for every 2,000 square feet of office space in excess of 50,000 square feet. This would result in an overall requirement of approximately 1,800 spaces. From a marketing standpoint, this was not deemed acceptable by the developers, who foresee difficulty getting financing for a project with such minimal parking provision. The baseline parking requirement is also not palatable from a community standpoint, where complaints about parking abuses persist. As such, the developer has suggested a higher parking requirement, combined with a shared parking arrangement, both of which have been incorporated into the PUD Development plan. The new requirements will more than double the number of off-street parking spaces provided, when compared to the underlying zoning.

The master plan for State Center has been reviewed and approved by members of both the Site Plan Review Committee and the Urban Design and Architectural Review Panel. The project will proceed in phases, and as individual components of the project are developed, each will have to return to Planning Commission for Final Design Approval.

Street Closings:

The areas labeled as North and East Armory Lots on the PUD Development Plan are not finite parcels. Rather, they exist within City right-of-way and have been authorized by the Department of Transportation for inclusion in the PUD. It is anticipated that these areas will be closed and ownership transferred to the State Center development entity. It is also anticipated that some or all of the streets within the project area may require adjustments in width. This is likely to result in future street closings to narrow rights-of-way in conformance with project streetscape goals, and may sometimes result in dedications from the State Center development entity to widen individual rights-of-way. All closing and dedications will be approved through the traffic mitigation and site plan review processes.

Forest Conservation:

A preliminary forest conservation plan has been prepared for the site, which results in a total planting requirement of 327 trees. A detailed landscaping plan that meets this requirement has been submitted and accepted by environmental planners. As individual phases of development

return for Final Design Approvals, they will be evaluated for compliance with the Forest Conservation Plan.

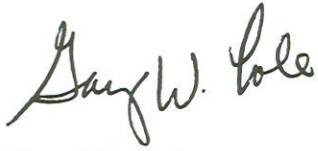
Traffic Impact Study:

A traffic impact study is being completed for the project and will require mitigation on the part of the developer. This must be undertaken prior to Final Design Approval for the first building or phase of development. General goals for mitigation, which have been agreed upon by the State Center development team and the Baltimore City Department of Transportation, will be suggested by Transportation for inclusion as a text amendment to the bill.

PROPOSED AMENDMENTS TO CCB #08-0166

1. [Preamble, p. 1, line 12] Revise total PUD area from 32.65 acres to 37.38 acres.
2. [Section 1, p. 2, line 38] Revise from 32.65 acres to 37.38 acres.
3. [Section 1, p. 2, lines 40-43 and p. 3, line 1] Revise all sheets of the development plan to have a date of August 25, 2008.
4. [Section 1, p.3, line 1] Revise from 32.65 acres to 37.38 acres.
5. [Section 3(a), p. 3, lines 8-10] Revise to read: "All permitted, accessory, and conditional uses, AS OF THE DATE OF THIS ORDINANCE, as allowed in the B-1 and B-2 Zoning Districts are allowed and authorized as permitted uses within the Business Planned Unit Development, unless stipulated OTHERWISE herein."
6. [Section 3(c), p. 4, lines 19-22] Revise to read: "the implementation of which should reasonably lead to the acquisition of credits toward certification from the United States Green Building Counsel's Leadership in Energy and Environmental Design (LEED) Green Building Rating System®, OR ITS FUNCTIONAL OR GENERALLY ACCEPTED EQUIVALENT."
7. [Section 3(e), p. 5, line 1] Revise to read: "The following uses are conditional uses, REQUIRING APPROVAL BY THE BOARD OF MUNICIPAL ZONING APPEALS, within the Planned Unit Development:"
8. [Section 3(e), p.5] Delete "Homes for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons" from the list of conditional uses.
9. [Section 4(a), p. 5, line 9] Revise maximum allowable floor area from 6,989,223.7 to 6,989,223.7.

In advance of today's hearing, staff has notified Baltimore City Councilmember William H. Cole, IV and all community groups within a one-mile radius of the project (147 in total).

A handwritten signature in black ink that reads "Gary W. Cole". The signature is written in a cursive style with a large initial "G".

Gary W. Cole
Acting Director