


<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 <sup>th</sup> FLOOR		
	SUBJECT	CITY COUNCIL BILL #19-0346/ REPEAL OF ORDINANCE 96-032 - NEW LEXINGTON TERRACE PLANNED UNIT DEVELOPMENT		

DATE:

TO

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

March 29, 2019

At its regular meeting of March 28, 2019, the Planning Commission considered City Council Bill #19-0346, for the purpose of repealing Ordinance 96-032, as amended by Ordinance 98-235, which designated certain properties as a Residential Planned Unit Development known as the New Lexington Terrace Planned Unit Development; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #19-0346, 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 #19-0346 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Mr. Pete Hammen, Chief Operating Officer  
 Mr. Jim Smith, Chief of Strategic Alliances  
 Ms. Karen Stokes, Mayor's Office  
 Mr. Colin Tarbert, Mayor's Office  
 Mr. Jeff Amoros, Mayor's Office  
 The Honorable Edward Reisinger, Council Rep. to Planning Commission  
 Mr. William H. Cole IV, BDC  
 Mr. Derek Baumgardner, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Sharon Daboin, DHCD  
 Mr. Tyrell Dixon, DCHD  
 Ms. Elena DiPietro, Law Dept.  
 Mr. Francis Burnszynski, PABC  
 Mr. Frank Murphy, DOT  
 Ms. Eboni Wimbush, DOT  
 Ms. Natawna Austin, Council Services  
 Mr. Ervin Bishop, Council Services  
 Mr. Ryan Potter, Esq., for the Roman Catholic Archbishop of Baltimore



Catherine E. Pugh  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

March 28, 2019

**REQUEST:** City Council Bill #19-0346/ Repeal of Ordinance 96-032 – New Lexington Terrace Planned Unit Development:

For the purpose of repealing Ordinance 96-032, as amended by Ordinance 98-235, which designated certain properties as a Residential Planned Unit Development known as the New Lexington Terrace Planned Unit Development; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Martin French

**PETITIONERS:** Councilmembers Costello and Bullock, at the request of the Roman Catholic Archbishop of Baltimore

**OWNERS:** Housing Authority of Baltimore City; Mayor and City Council; and private homeowners within the Townes at the Terraces

#### **SITE/GENERAL AREA**

**Site Conditions:** The site is predominantly residential, with new two-story porch-front row homes providing a medium-density residential community immediately west of downtown. The non-residential portions of the PUD are medium-intensity commercial uses, including a pharmacy, multiple offices, and street-level commercial spaces. The north and east sides of the PUD are bounded by high-volume traffic arterial roads (the Franklin-Mulberry corridor, and the Martin Luther King, Jr. Boulevard that connects at its southern end to the interstate highway system). Near the center of the east section of the PUD is a school building and an open field used for recreation. The petitioners are proposing to combine and redevelop these two properties as a new educational facility.

**General Area:** Across MLK Boulevard is the western end of the University of Maryland Hospital and Medical System urban campus. Across the Franklin-Mulberry corridor is a “sister” PUD known as Heritage Crossing and the predominantly rowhouse urban renewal area known as Harlem Park II. West of the PUD site is Poe Homes Public Housing and to its west the redevelopment area known as the Poppleton La Cite’ project. South of the PUD site is the newly-developed University of Maryland-affiliated bio-science campus.

#### **HISTORY**

The New Lexington Terrace Planned Unit Development (“the PUD”) was established by Ordinance 96-032 adopted on June 14, 1996. This ordinance approved redevelopment of the

former 677-unit Lexington Terrace Public Housing site containing approximately 15.5 acres in five phases. Planned were 319 low-rise dwellings for families, a mid-rise multi-family dwelling containing 100 dwelling units for the elderly, a 33,000 square foot recreation center and multi-purpose structure that would also include up to 12,000 square feet for a day care center for children of residents of the PUD and the surrounding community, and, in Phase V, a business center with a maximum floor area of 90,000 square feet. This redevelopment plan was approved and funded by a \$23 million grant from the U.S. Department of Housing and Urban Development (HUD) under the HOPE VI Program. The final design for the PUD was approved by the Planning Commission on November 14, 1996. In late 1997 an amendment to the PUD development plan was proposed for the purpose of allowing construction of a "full-line drug store with a drive-through that may be open 24 hours per day" within the Phase V business center. This amendment was approved by Ordinance 98-235 effective February 26, 1998.

The Poppleton Urban Renewal Plan was originally approved by Ordinance no. 837 dated March 31, 1975. At that time it did not include the area occupied by Lexington Terrace Public Housing and Poe Homes Public Housing, which had been constructed decades earlier. It was most recently amended by Amendment no. 11 dated December 7, 2006, approved by Ordinance 07-416 dated April 19, 2007. The Plan states that to the extent that there may be any conflict between provisions of the Renewal Plan and the PUD's standards and controls, or with any final development plans approved by the Planning Commission, the PUD standards and controls or the approved final development plans control.

#### **CONFORMITY TO PLANS**

The proposed action would be consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, LIVE Goal 1, Build Human and Social Capital by Strengthening Neighborhoods, Goal 2, Objective 2: Streamline and Strengthen the Development Process. One of the strategies for achieving this was modernizing zoning codes to meet current needs. This has recently been accomplished by adoption of the new Zoning Code, which incorporated many of the land-use control and incentive features used to justify the need for the PUD in relation to the previous (1971) Zoning Code.

#### **ANALYSIS**

The PUD created in 1996 enabled development of a residential mixed-use community on a site that had previously been exclusively low-income rental housing. To reduce both the concentration and isolation of low-income residents, the replacement housing was a mix of subsidized and market-rate dwellings, in turn a mix of rental and ownership dwellings. To reduce their physical isolation from supportive services, retail and office uses and a large child-care facility were allowed within the PUD. All of these components would have been infeasible without substantial rezoning of the PUD area under the terms of the previous (1971) Zoning Code, which was based upon the concept of separation of uses considered residential from uses considered non-residential. With enactment of the current Zoning Code in 2017, these considerations are no longer applicable. In addition, all of the proposed construction covered by the PUD ordinance has been completed, leaving no reason to continue that ordinance in force.

The applicants have determined that the underlying zoning meets their present and future needs, and therefore have requested repeal of Ordinance 96-032.

**Background:** The educational facility being proposed for the school site and the vacant land would be the first new Roman Catholic parochial school in Baltimore City in sixty years. The choice of this site represents part of the Archdiocese's effort to make parochial education more accessible to and inclusive of students who traditionally have not attended such schools.

**Notification:** The Townes at the Terraces Association has been notified of this action.



**Chris Ryer  
Director**