


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #17-0100 – REPEAL OF DISTRICT AT CANTON CROSSING PUD		

DATE: August 18, 2017

**TO** The Honorable President and  
 Members of the City Council  
 City Hall, Room 400  
 100 North Holliday Street

At its regular meeting of August 17, 2017, the Planning Commission considered City Council Bill #17-0100, for the purpose of repealing Ordinance 11-571, as amended by Ordinances 12-13 and 12-86, which designated certain properties as a Business Planned Unit Development known as The District at Canton Crossing; 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 #17-0100 and 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 #17-0100 be passed by the City Council.

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

TJS/WA

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. Kyron Banks, Mayor's Office  
 The Honorable Edward Reisinger, Council Rep. to Planning Commission  
 Mr. William H. Cole IV, BDC  
 Mr. David Tanner, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Sharon Daboin, DHCD  
 Mr. Patrick Fleming, DOT  
 Ms. Elena DiPietro, Law Dept.  
 Mr. Francis Burnszynski, PABC  
 Ms. Natawna Austin, Council Services  
 Ms. Caroline Hecker, Attorney for Applicant



Catherine E. Pugh  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman



Thomas J. Stosur  
Director

### STAFF REPORT

August 17, 2017

**REQUEST:** City Council Bill #17-0100/ Repeal of Ordinance 11-571 – The District at Canton Crossing Planned Unit Development:

For the purpose of repealing Ordinance 11-571, as amended by Ordinances 12-13 and 12-86, which designated certain properties as a Business Planned Unit Development known as The District at Canton Crossing; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Eric Tiso

**PETITIONER:** BCP Investors, c/o Caroline Hecker, Esq.

**OWNER:** BCP Investors and Exxon Mobile Corporation, LLC

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

**Site Conditions:** The District at Canton Crossing PUD #154 includes the parcels known as 3501, 3559, and 3901 Boston Street, which is approximately encompassed by Boston Street on the north, the former bed of Baylis Street on the west, the former bed of Danville Street and the remains of a railroad siding on the south, and South Haven Street on the east.

**General Area:** The subject site is in the Southeast portion of the City, southeast of the Canton neighborhood. The Canton neighborhood is largely residential in nature with a predominance of R-8 zoned row homes and key commercial corridors centered on Boston, O'Donnell and Fleet Streets. The subject site also lies within the Canton Industrial Urban Renewal Plan Area. As its name implies, the Canton Industrial Area is comprised of a broad mix of heavy industrial users, many of which support Baltimore's port activity. The District at Canton Crossing PUD #154 was intended as a large shopping center bridging between adjacent residential, commercial, and industrial areas.

#### **HISTORY**

- Ordinance #1-192, dated June 21, 2001, established the original Canton Crossing Planned Unit Development (PUD).
- Ordinance #11-569, dated December 5, 2011, rezoned properties in the project area from the industrial M-3 District to the commercial B-2-2 Zoning District
- Ordinance #11-571, dated December 5, 2011, established the District at Canton Crossing PUD, which separated this new PUD from the original Canton Crossing PUD.

- Ordinance #12-013, dated May 18, 2012, is the first amendment to the PUD, and added language that was inadvertently omitted from Ordinance #11-571.
- On August 9, 2012, the Planning Commission approved a Minor Amendment & Final Design Approval for The Shops at Canton Crossing Phase 1, subject to certain conditions. This Minor Amendment approved a revised layout of buildings.
- On November 15, 2012, the Planning Commission approved a Minor Amendment and Revised Final Design Approval to allow for several plan revisions that were made necessary as the development of Phase 1 progressed.
- Ordinance #12-086, approved December 11, 2012, was the second amendment to the PUD, and added drive-in land uses for pharmacies and restaurants.
- On May 17, 2013, the Planning Commission approved a Final Design Approval for the BB&T and the Chick-fil-A (buildings I & J).
- On August 29, 2013, the Planning Commission approved a Revised Final Design Approval for modifications to the signage package.
- On September 19, 2013, the Planning Commission approved a Revised Final Design Approval for buildings C, D and K, as well as the central park.
- On April 3, 2014, the Planning Commission approved a Revised Final Design Approval for changes to approved signage and for outdoor seating areas.
- On August 4, 2016, the Planning Commission approved a Revised Final Design Approval for Mission BBQ Signage.

## **ANALYSIS**

**Background:** This Planned Unit Development (PUD) was created on December 5, 2011, as it was separated from a larger PUD (the remainder of which is located immediately to the west) in order to enable the development of the assembled properties as a shopping center. At the time, the properties were industrially zoned, and the PUD was designed as a phased project for the properties collectively, as opposed to what might've been achieved as separate parcels when they were rezoned to B-2-2 commercial zoning. At the time, developments of this scale were more dependent upon PUDs in order to be successful, which indicated the need for an overhaul of the Zoning Code in general. More specifically, that dependency illustrated a need for a commercial district that supported shopping centers.

In the early stages of TransForm Baltimore, the comprehensive rezoning of the City, zoning the shopping center as a Transit-Oriented Development (TOD) District was considered since it was located adjacent to the then-proposed Red Line project. This area was ultimately zoned C-3 through TransForm Baltimore. The C-3 District "is intended for more intensive commercial uses and key commercial nodes that require additional controls, particularly for shopping centers and larger retail establishments." (*cf.* Article 32 – *Zoning*, §10-205(a)(2)). Now that the underlying zoning for these properties provides for the specific needs of shopping centers, the PUD is no longer needed to assist in achieving that purpose. The applicants have verified that the underlying zoning meets their present and future needs, and have therefore requested that the PUD be repealed.

Notification: The Brewer's Hill Community Association, the Southeast Community Development Corporation-(SCDC), and the Canton Community Association have been notified of this action.



**Thomas J. Stosur**  
**Director**