PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

Stephanie Rawlings-Blake
Mayor

Thomas J. Stosur
Director

STAFF REPORT

December 19, 2013

REQUEST: Major Subdivision Final Plans/25th Street Station PUD – Development Site I

RECOMMENDATION: Approval

STAFF: Anthony Cataldo

OWNER: Multiple Owners

PETITIONER: WV Urban Developments, LLC

SITE/ GENERAL AREA

General Area: The 25th Street Station proposed project area is located in North Baltimore within the Remington and Charles Village neighborhoods. The site is approximately 14.2 acres which includes rights-of-ways. The proposed built development area is 11.5 acres. The existing zoning is mixed with B-2-3, B-3-3, and M-2-2. The proposed development is not located within a designated Urban Renewal area, is not within a designated Historic District, is not located within the Chesapeake Bay Critical Area, and is not located within the 100-year FEMA flood plain area. The project site is located within an Enterprise Zone Focus Area. The CSX tracks and railroad Right-of-way borders the west side of the site, Huntingdon and 25th Street border the north side, Maryland Avenue borders the east side and 24th Street and Sisson border south side of the site. Howard Street bisects the site creating two main development parcels.

Site Conditions: The site is a series of parcels in the Remington and Charles Village communities which is currently being used as a General Motors/ Honda Dealership, showroom, car lot, and associated structures as well as other light industrial uses. General Motors is closing this location and the Honda dealership is moving therefore leaving much of the site vacant.

HISTORY

- On August 5, 2010 the Planning Commission approved City Council Bill #10-0488/ Planned Unit Development - Designation – 25th Street Station
- On August 5, 2010 the Planning Commission approved the subdivision and development plan for 25TH Street Station PUD -Lot 001 of Block 3625, Lots 011 and 013 of Block 3626A, and Lots 001, 002, 003, 004, and 005 of Block 3626C (subdivision not recorded)
- On August 5, 2010 the Planning Commission approved the Street Closing/ Portions of Ware Street & Hampden Avenue

- On November 24, 2010 Ordinance #10-397 established the 25th Street Station PUD.
- On December 16, 2010 the Planning Commission approved the Minor Amendment and Final Design Approval for the 25th Street Station PUD.
- On November 21, 2013, the Planning Commission approved a Minor Amendment and Revised Final Design Approval for Development Site I.

CONFORMITY TO PLANS

This project is consistent with the Baltimore City Comprehensive Master Plan: LIVE Section, Goal 1, Objective 1: Expand Housing Choice for all Residents, Goal 1, Objective 5: Increase the City's Population by 10,000 Households in 6 years, and PLAY Section, Goal 2, Objective 2: Promote Unique Retail Venues as Shopping and Tourist Destinations. The amended 25th Street Station development plan calls for approximately 70-80 residential units, +/- 194,251 square feet of mixed retail spaces, and 2,000 +/- square feet of office.

ANALYSIS

The 25th Street Station project is a mixed use, residential and commercial development project with a variety of potential commercial uses. The development plan allocates space for a large box retailer, mid-sized retailers, and smaller, neighborhood commercial spaces. Surface and small parking structures consolidate the required parking fields near and within buildings. Since the Planned Unit Development's original approval in 2010, legal actions have prevented site development and construction. Moreover, the delay resulted in one of the major proposed tenants pulling out of the deal. As such, the plan for development of Site I had to be modified. Members of the Planning Commission approved that modified plan on November 21, 2013 via a Minor Amendment to the PUD and Revised Final Design Approval. Items presented formally and reviewed by the Commission at that public meeting included modified PUD Development Plan sheets, detailed site plan drawings, architectural building elevations and renderings, and detailed landscape plans.

The action currently being requested is a consolidation and re-subdivision of private land to allow for site development in accordance with the plans just approved. This is being done for financing purposes. Specifically, the request is to consolidate seven existing parcels (Lots 1 through 5 of Block 3626-C and Lots 11/12 and 13/45 of Block 3626-A) and to re-subdivide into four lots. Proposed Lot 1 is being developed in this phase with a new Wal-Mart. Lot 2 will be retained by CSX and will not be developed, while Lots 3 and 4 are future retail development sites. The total site area for the subdivision is 8.655 acres. The project qualifies as a Major Subdivision due to the resulting number of lots (4 or more).

In its consideration of the current request, staff has reviewed the following:

- Development Plan: In fulfillment of Baltimore City Subdivision Regulations, a Final Development Plan has been submitted that matches the plan just approved by the Planning Commission. No additional review was needed nor conducted for this action.

- Landscaping: In fulfillment of Baltimore City Subdivision Regulations, a Final Landscape Plan has been submitted that matches the plan just approved by the Planning Commission. No additional review was needed nor conducted for this action.

- Elevations: In fulfillment of Baltimore City Subdivision Regulations, architectural building elevations have been submitted that match those just approved by the Planning Commission. No additional review was needed nor conducted for this action.

- Street Closings: On August 5, 2010 (at the same time they considered the bill to designated the PUD), the Planning Commission considered a street closing request for portions of Ware Street and Hampden Avenue. At that time, the Commission made a finding that they were no longer needed for public purpose and could be closed. That action was the first of several required in the formal street closing process. The next step would be introduction of City Council Bills for the opening and closing of those areas. Those City Council Bills have not yet been introduced. A third bill authorizing the City to sell the area in question – typical in the street closing process – is not required this time, as title work indicates those areas are already privately owned.

  In the case of a portion of Hampden Avenue, title is vested in F & C Properties LLC, one of the development entities and owner of the wholly surrounding property. Because F & C holds title to this area and furthermore is the only entity with rights to it, and because F & C owns the abutting parcel with which the subdivision proposes it to be consolidated, there is no issue with its inclusion on the Final Subdivision Plan before the formal street closing process has been completed.

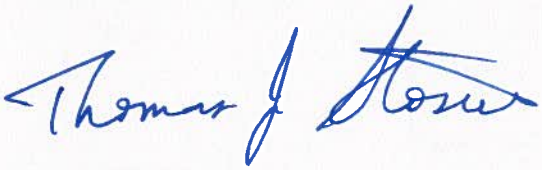
  In the case of a portion of Ware Street, title is vested in Robert G. Ware (an ancient owner) and his heirs via a deed recorded in 1844. If the owner of the street were available to sign the Final Subdivision Plan, in effect consenting to its conveyance to the abutting property owner, then it could be included on plans regardless of the status of the formal street closing. For Ware Street, the signatory issue has not been resolved, so the area has been excluded from Final Plans. The developer will work to gain title and proceed with the required street closing actions, consolidating the land in the future. This will not need a Planning Commission action, as a consolidation is an administrative service provided by the Property Location office of the Department of General Services.

- Subdivision Regulations: The project is fully compliant with Baltimore City's Subdivision Regulations. Official notice was given to community groups and adjoiners at the time of application, again when a determination was made that the original application incorrectly categorized the project as a "Minor Subdivision", and a third time when the applicant submitted a revised Preliminary Subdivision Plan (reflecting the elimination of the aforementioned portion of Ware Street from the project area). Preliminary Plans have been commented upon by all technical review agencies, and Final Plans submitted that address those comments.

NOTIFICATIONS

Signs were posted at 7 public locations throughout the site area advertising a public hearing on the requested actions: 25th and Huntingdon, 24th and Sisson, 24th Street at the old Morton Alley, Howard Street in the window of the Honda showroom building, west corner of Howard Street and 25th Street, 25th Street in the Honda showroom about center of the block, and Maryland Avenue.

In addition, the Department of Planning staff notified the following groups by mail: Charles Village Civic Association, Charles Village Community Benefits District, Greater Homewood Corporation, Inc, Peabody Heights Resident Homeowners Alliance, Inc., Old Goucher Business Alliance, Remington Neighborhood Alliance, Station North Arts & Entertainment District, Old Goucher Community Association, Inc., Greater Remington Neighborhood Association, Historic Greater Fawcett Community Association, Medfield Community Association, Hampden Community Council, Downtown Partnership, and relevant City agencies.



Thomas J. Stosur
Director