


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #12-0014 / ZONING- CONDITIONAL USE SECOND-HAND STORE - 5307 YORK ROAD		

DATE:

TO

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

February 24, 2012

At its regular meeting of February 23, 2012, the Planning Commission considered City Council Bill #12-0014, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a second-hand store on the property known as 5307 York Road, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #12-0014 and adopted the following resolution; five members being present (five in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #12-0014 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/WYA/mf

Attachment

- cc: Ms. Kaliopé Parthemos, Deputy Mayor
 Mr. Peter O'Malley, Chief of Staff
 Ms. Angela Gibson, Mayor's Office
 The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
 Mr. David Tanner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Mr. Nicholas Blendy, DHCD
 Ms. Kristen Mitchell, BDC
 Ms. Elena DiPietro, Law Dept.
 Ms. Karen Randle, Council Services
 Ms. Patricia Howard



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

February 23, 2012

REQUEST: City Council Bill 12-0014/ Zoning – Conditional Use Second-hand Store – 5307 York Road

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a second-hand store on the property known as 5307 York Road, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER(S): Councilmember Henry, at the request of Blue Flower Treasure

OWNER: Robert Gibbs

SITE/ GENERAL AREA

Site Conditions: This property, located on the east side of York Road approximately 55' north of the intersection with Glenwood Avenue, measures approximately 19'11" by 90' and is currently improved with a two-story-plus-attic attached commercial and residential building measuring approximately 19'11" by 33'. The street level of this 1,120 square foot building is currently vacant. The site is zoned B-2-2 and is located in the York-Woodbourne Business Area Urban Renewal Plan area and the York Road Community Strategic Neighborhood Action Plan area.

General Area: The property is located in the midst of a long-established commercial strip which runs up both sides of York Road, with a few interruptions, from Old Cold Spring Lane to the northern City limits. Typical commercial properties are a mix of early-to-mid 20th Century structures with some newer structures at key intersections (for example, the Belvedere Square development further north of this property). Behind these commercial structures lining York Road, residential neighborhoods developed in the late 19th and early 20th Centuries are variously made up of single-family detached, semi-detached, and attached housing with some other uses such as schools and churches included.

HISTORY

There is no previous legislative history concerning this property only. It is included in the Urban Renewal Area mapped in the York-Woodbourne Business Area Urban Renewal Plan, originally approved by the Mayor and City Council by Ordinance 650 on June 13, 1974 and most recently amended by Ordinance 667 dated December 4, 1995, which designates it as part of the Community Business area. Planning staff, having reviewed the Plan, find that this property is located in the York-Woodbourne Business Area Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

CONFORMITY TO PLANS

The proposed action is consistent with the City of Baltimore's Comprehensive Master Plan, LIVE EARN PLAY LEARN, Live Goal 1, Objective 2: Strategically redevelop vacant properties throughout the City, and with the objectives of the York-Woodbourne Business Area Urban Renewal Plan, specifically: revitalizing the designated Business Area to provide a community shopping district with enhanced viability, attractiveness, and convenience for residents of the surrounding areas, and protecting the area from future blighting influences. Leaving this store-front vacant would create a blighting influence on immediate surrounding businesses. The Baltimore Development Corporation, which administers the Urban Renewal Plan, considers this proposed use consistent with the purposes of the Plan.

The York Road Community Strategic Neighborhood Action Plan (SNAP) identifies this property as part of the Woodbourne commercial node, one of four in the SNAP area, and as part of the Govanstowne Retail Business District established in 1980. The SNAP recommends improving the mix of businesses to better serve surrounding communities. As one of its goals, the SNAP also recommends identifying opportunities for mixed use development (residential/commercial) to encourage/ enhance day and night uses. The previous use of the commercial portion of this property was a hair salon; the proposed use would add to the diversity of commercial uses in this section of the York Road – Woodbourne Avenue commercial node.

ANALYSIS

In the Zoning Code, §1-186.1 defines “second-hand store” as “a place of business of a person who engages in the business of buying for resale, trade, or transfer used or previously owned property or merchandise, including carvings, clothes, ceramics, furniture, glass, household items, jewelry, paintings, rugs, sculptures, silverware, and other moveable personal property, but excluding motor vehicles, records, tapes, compact discs, and books.” Blue Flower Treasure proposes to use this property for second-hand sales of clothing and related merchandise. City Council Bill 12-0014 is legislation required according to the Zoning Code, §6-309 (12a) which lists second-hand stores as a conditional use for which an ordinance is required in a B-2 District.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {“Conditional Uses”} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and
4. the authorization is in harmony with the purpose and intent of this article (§14-204).

Planning staff, having reviewed the proposed conditional use in relation to these criteria, have determined that the proposed second-hand store at 5307 York Road meets these requirements for approval by ordinance of the Mayor and City Council of Baltimore, and recommends that the Planning Commission find accordingly in favor of this bill.

Staff notified the York Road Partnership, Govanstowne Business Association, Woodbourne-McCabe Neighborhood Association, North Baltimore Neighborhood Coalition, Greater Homewood Community Corporation, Robert Gibbs, and Councilmember Henry of this action.



Thomas J. Stosur
Director



Planning Commission
CCB 12-0014/Zoning - Conditional Use
Second-Hand Store - 5307 York Road



February 23, 2012

