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FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #08-0238/ CITY STREETS - CLOSING - TWO 10- FOOT ALLEYS		

TO

DATE:

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

March 26, 2009

At its regular meeting of March 19, 2009, the Planning Commission considered City Council Bill #08-0238 for the purpose of condemning and closing a 10-foot alley laid out in the rear of the properties formerly known as 2203-2227 North Howard Street and another 10-foot alley laid out contiguous to the north outline of the property formerly known as 2214 Mace Street, as shown on Plat 114-A-47A in the Office of the Department of Public Works. City Council Bill #08-0238 is the required legislation that will formally condemn and close the aforementioned alleys. This is the third step in a four step process that is needed to dispose of surplus right-of-way property. This action is consistent with previous Planning Commission action.

In its consideration of this Bill, the Planning Commission reviewed the attached agenda, summary and previous staff report which recommends approval of City Council Bill #08-0238 and adopted the following resolution, eight members being present (eight in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff and recommends that City Council Bill #08-0238 be passed by the City Council.

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

GWC/ttl

Attachments

- cc:
- Mr. Andy Frank, Deputy Mayor
 - Mr. Demaune Millard, Chief of Staff
 - Ms. Angela Gibson, Mayor's Office
 - The Honorable Rochelle "Rikki" Spector, Council Rep. for Planning Commission
 - Mr. David Tanner, BMZA
 - Mr. Geoffrey Veale, Zoning Administration
 - Ms. Nikol Nabors-Jackson, DHCD
 - Mr. Larry Greene, Councilmanic Services
 - Ms. Marcia Collins, DPW
 - Mr. Paul Barnes, DPW

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**PLANNING COMMISSION
STAFF REPORT**

September 18, 1997

ALLEY CLOSINGS

STAFF: Peggy Drake

PETITIONER(S): Carroll Independent Fuel, Inc.

OWNER: City of Baltimore

REQUEST

To close two alleys in the 2200 block of North Howard Street south of West 23rd Street.

ACREAGE: 0.05 acres for the alleys (2,259 square feet)

LOCATION

Southeast of the intersection of N. Howard and W. 23rd Streets, in the Charles-North community.

PROPERTY SITE/IMMEDIATE AREA

Existing Conditions: Both alleys are paved and run along the edges of an existing parking lot with similar pavement. They appear to be aisles that are part of that parking lot and offer informal access to that lot.

Adjacent Uses:

- North -Automobile-related rental and repair businesses and vacant commercial businesses along the Howard Street corridor (B-3-3 zoning)
- South-Used car lot (B-3-3 zoning) and the Midtown Marketplace Planned Unit Development, a shopping center now under construction (B-3-3 and B-2-3 zoning)
- East-A mix of offices, retail and other businesses and multiple family dwellings along Maryland Avenue (B-2-3 zoning)
- West-Automobile tire and muffler shops along Howard Street (B-3-3 zoning) and, southwest, the Oak Street Station Planned Unit Development, with a variety of automobile-oriented uses, a fast food restaurant, and the headquarters for Yellow Cab.

GENERAL AREA: The alleys face the Howard Street Street corridor and are located in a B-3-3 zoning district, in the Charles-North Business Urban Renewal Area and the Charles Village Benefits District. The immediate vicinity is characterized by a mix of auto-related and other retail businesses in detached buildings, freestanding and attached office buildings, and multiple family attached dwellings with first floor office or commercial uses, with some vacant or underutilized lots such as those around the alleys to be closed.

TRANSPORTATION

Direct Access to Site: North Howard Street to West 23rd Street and Mace Street
Street Classification: Howard is a minor arterial and West 23rd is a local street.
Transit: Bus Route 27 on Howard Street

CONFORMITY TO PLANS

The alley closings would be in keeping with the goals and objectives of the Charles-North Business Urban Renewal Plan and the plan for the Charles Village Benefits District. They are not referenced specifically in either plan.

ANALYSIS

The applicants are proposing to construct a self-service gasoline station with a convenience store on what is now a parking lot. That parking lot consists of a series of lots located along side the two subject alleys. The lots would be consolidated with the alleys, upon their being closed, to create a single lot to be addressed 2215 North Howard Street. The site would be leased by the applicants, Carroll Independent Fuel Company, from George Helfrich. All the lots along both sides of the alley would be included in the gas station site and convenience store. The closing of the alleys will not limit access to other properties.

The proposed gas-and-go service station/convenience store requires approval from the Board of Municipal and Zoning Appeals (BMZA) for a conditional use in a B-3-3 zoning district. On August 12, 1997, the Board approved Appeal #244-97X for the proposed development.

The Charles-North Community Association submitted a letter to the Board of Municipal and Zoning Appeals offering its support of the project.

Planning Department approval of the site plan and building elevations was a condition of the Board's conditional use approval. Staff has stressed to the applicants the importance of a high quality of design for the improvements to the site, including the sales building, landscaping plan, and the overall layout. The two Planned Unit Developments less than two blocks south of the site, Oak Street Station and Midtown Marketplace, have design standards for high quality building materials and landscaping.

Consistent with the design standards that have been applied to nearby business developments and the decision of the Board of Municipal and Zoning Appeals, staff recommends as a condition of approving the closing of the two alleys, Planning Department approval of the plans for developing the site to be known as 2215 North Howard Street.

FINDINGS

1. The alleys are not needed for a public purpose.
2. The Board of Municipal and Zoning Appeals has approved the development of the site, with conditions that include Planning Department approval of plans.
3. The alley closings are consistent with the goals and objectives of both the Charles-North Business Urban Renewal Area and the Charles Village Benefits District.
4. The development is supported by the Charles-North Community Association.
5. The closings of the alleys are needed to create a viable consolidated lot for a use that both the Charles-North Community Association and the Board of Municipal and Zoning Appeals have approved – with the alley closings as a condition of the BMZA approval.

STAFF RECOMMENDATION

Staff recommends approval of closing both alleys, with the condition that the Planning Department approve the plans for the site to be known as 2215 North Howard Street.



CHARLES C. GRAVES III
DIRECTOR

CCG/PLD/pd