


<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 #14-0450/CITY STREETS – CLOSING – A PORTION OF CREEK ALLEY		

**TO**

DATE: January 23, 2015

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

At its regular meeting of December 4, 2014, the Planning Commission considered City Council Bill #14-0450 for the purpose of condemning and closing a portion of Creek Alley, extending from West West Street Northeasterly 330 feet, more or less to West Cross Street, as shown on Plat 257-A-39A in the Office of the Department of General Services; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached agenda, summary and previous staff report which recommended approval of City Council Bill #14-0450 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 #14-0450 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: Ms. Kaliope Parthemos, Chief of Staff  
 Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development  
 Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development  
 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  
 Ms. Sharon Daboin, DHCD  
 Ms. Barbara Zektick, DOT  
 Ms. Elena DiPietro, Law Dept.  
 Ms. Melissa Krafchik, PABC  
 Ms. Marcia Collins, DPW  
 Mr. David Framm, DGS



Stephanie Rawlings-Blake  
Mayor

**PLANNING COMMISSION**  
*Wilbur E. "Bill" Cunningham, Chairman*

**AGENDA**

**December 4, 2014 – #1882**

**Working Session – 12:30 p.m.**  
**Regular Session – 1:30 p.m.**



Thomas J. Stosur  
Director

**Please Note: The Consent Agenda items have been moved to the beginning of the Planning Commission Hearing.**

**1:30 PM**

- 1. ROLL CALL**
- 2. APPROVAL OF MINUTES**

**CONSENT AGENDA**

- 3. MINOR SUBDIVISION FINAL PLANS/ 101 WEST FAYETTE STREET – BALTIMORE HARBOR HOTEL AND RESIDENCES (Eleventh District)**
- 4. REVISED FINAL DESIGN APPROVAL/ DISTRICT AT CANTON CROSSING PUD #154 – ADDITIONAL CHICK-FIL-A SIGN (First District)**  
*(postponed to a later Date)*
- 5. CITY COUNCIL BILL #14-0450/CITY STREETS – CLOSING – A PORTION OF CREEK ALLEY (City Council President – Administration)**  
For the purpose of condemning and closing a portion of Creek Alley, extending from West West Street Northeasterly 330 feet, more or less to West Cross Street, as shown on Plat 257-A-39A in the Office of the Department of General Services; and providing for a special effective date. (Tenth District)
- 6. CITY COUNCIL BILL #14-0451/SALE OF PROPERTY – FORMER BED OF CREEK ALLEY (City Council President – Administration)**  
For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of Creek Alley, extending from West West Street Northeasterly 330 feet, more or less, to West Cross Street and no longer needed for public use; and providing for a special effective date. (Tenth District)
- 7. REVISED FINAL DESIGN APPROVAL/ INNER HARBOR EAST PUD – PARCEL D (First District)**

## 8. CIP TRANSFERS

### REGULAR AGENDA

**9. CITY COUNCIL BILL #14-0452/SALE OF PROPERTY – 17, 19, AND 23 SOUTH GAY STREET (City Council President – Administration)**

For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties known as 17, 19, and 23 South Gay Street (Ward 04, Section 11, Block 1351, Lots 014, 015, and 016), consisting of approximately 0.3 acres, and no longer needed for public use; and providing for a special effective date. (Eleventh District)

**10. CITY COUNCIL BILL #14-0454/ URBAN RENEWAL – INNER HARBOR PROJECT I – AMENDMENT (City Council President – Administration)**

For the purpose of amending the Urban Renewal Plan for Inner Harbor Project I to delete a building requirement for a certain development area, to delete in its entirety a certain development area from the Plan, and to amend certain exhibits to the Plan to reflect the deletion of that development area; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date. (Eleventh District)

### 2:00 PM

**11. CITY COUNCIL BILL #14-0449/ URBAN RENEWAL – COLDSRING NEIGHBORHOOD DEVELOPMENT PROGRAM – AMENDMENT (Councilmember - Sharon Green Middleton)**

For the purpose of amending the Urban Renewal Plan for Coldspring Neighborhood Development Program to delete an existing land use and to add a new land use to the Plan, to establish design standards for the new land use, to remove certain language from a development objective, to delete the acquisition and clearance provisions from the Plan, and to delete a certain exhibit from the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date. (Sixth District)

**CITY COUNCIL BILL #14-0456/ REZONING – 2001, 2011, 2013, 2105, 2107, AND 2201 WEST COLD SPRING LANE (Councilmember - Sharon Green Middleton)**

For the purpose of changing the zoning for the properties known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane (Block 3357E, Lots 001, 005A, 005B, 006, 007/009, 009A), as outlined in red on the accompanying plat, from the M-1-1 Zoning District to the B-2-3 Zoning District. (Sixth District)

This agenda was prepared on the assumption that all necessary materials have been made available in sufficient time for consideration by the Commission at this meeting. There are occasionally changes in this agenda when relevant materials have not been delivered to the Department on schedule. **For any item marked (\*\*), please call the Department at 410-396-4488 for most current information.**

**The meeting will be held in the Phoebe B. Stanton Boardroom of the Department of Planning, located on the 8<sup>th</sup> floor of 417 East Fayette Street.**



Stephanie Rawlings-Blake  
Mayor

## PLANNING COMMISSION

### SUMMARY

December 4, 2014



Thomas J. Stosur  
Director

***Please Note that the Consent Agenda items have been moved to the beginning of the Planning Commission Hearing.***

### CONSENT AGENDA

**3. MINOR SUBDIVISION FINAL PLANS/ 101 WEST FAYETTE STREET – BALTIMORE HARBOR HOTEL AND RESIDENCES** (Eleventh District)

This request is for the site of the Baltimore Harbor Hotel & Residences (formerly Sheraton Baltimore City Center Hotel), which has two towers with a below-grade parking structure. The proposal is to subdivide the north from the south tower, and portions of the parking structure. There is a vertical component to this request, as the volumes of the two parcels are interlocking vertically and the horizontal extent of the boundaries change from level to level. The north tower will continue in use as a hotel, the south tower will be converted to residential use, ranging from 177 to 192 units of varying sizes.

**Recommendation:** Approval

**4. REVISED FINAL DESIGN APPROVAL/ DISTRICT AT CANTON CROSSING PUD #154 – ADDITIONAL CHICK-FIL-A SIGN** (First District)

*(Postponed to a later Date)*

**5. CITY COUNCIL BILL #14-0450/CITY STREETS – CLOSING – A PORTION OF CREEK ALLEY** (City Council President – Administration)

For the purpose of condemning and closing a portion of Creek Alley, extending from West West Street Northeasterly 330 feet, more or less to West Cross Street, as shown on Plat 257-A-39A in the Office of the Department of General Services; and providing for a special effective date. (Tenth District)

This item was considered by the Planning Commission at its meeting on August 7, 2014, where the Commission concurred with staff's finding that upon completion of the Petitioner's purchase of the parcels currently under contract (Lots 3, 16, 30, 39 and 43), the Subject Right-of-Way is not needed to provide access to adjacent properties since all the properties will be under single ownership. Thus, once the Petitioner completes the purchase of Lots 3, 16, 30, 39 and 43, the Subject Right-of-Way is no longer needed for a public purpose and can be closed, the Right-of-Way declared surplus property and sold.

**Recommendation:** Approval, subject to the Petitioner completing the purchase of Lots 3, 16, 30, 39 and 43.

**6. CITY COUNCIL BILL #14-0451/SALE OF PROPERTY – FORMER BED OF CREEK ALLEY** (City Council President – Administration)

For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in a certain parcel of land known as the former bed of Creek Alley, extending from West West Street Northeasterly 330 feet, more or less, to West Cross Street and no longer needed for public use; and providing for a special effective date. (Tenth District)

This item was considered by the Planning Commission at its meeting on August 7, 2014, where the Commission concurred with staff's finding that upon completion of the Petitioner's purchase of the parcels currently under contract (Lots 3, 16, 30, 39 and 43), the Subject Right-of-Way is not needed to provide access to adjacent properties since all the properties will be under single ownership. Thus, once the Petitioner completes the purchase of Lots 3, 16, 30, 39 and 43, the Subject Right-of-Way is no longer needed for a public purpose and can be closed, the Right-of-Way declared surplus property and sold.

**Recommendation:** Approval, subject to the Petitioner completing the purchase of Lots 3, 16, 30, 39 and 43.

**7. REVISED FINAL DESIGN APPROVAL/ INNER HARBOR EAST PUD – PARCEL D** (First District)

The applicant would like to take a current, outdoor patio at the 24<sup>th</sup> level of the Legg Mason Building and enclose it to become part of the leasable office space of that floor. The current size and configuration of the office space has made it difficult to lease and the added square footage will make it productive and useable. The new exterior glazing system will identically match the existing exterior walls to provide a seamless look. All other aspects of the building remain intact. Design staff reviewed and approved the proposal.

**Recommendation:** Approval

**8. CIP TRANSFERS**

**Recommendation:** Approval

**REGULAR AGENDA**

**9. CITY COUNCIL BILL #14-0452/SALE OF PROPERTY – 17, 19, AND 23 SOUTH GAY STREET (City Council President – Administration)**

For the purpose of authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain properties known as 17, 19, and 23 South Gay Street (Ward 04, Section 11, Block 1351, Lots 014, 015, and 016), consisting of approximately 0.3 acres, and no longer needed for public use; and providing for a special effective date. (Eleventh District)

City Council Bill #14-0452 would authorize the sale of 17, 19, and 23 South Gay Street. These properties have been vacant for approximately 15 years and have significant structural and air quality issues that would cost the City more than \$18 million to mitigate and repair. No other city agency expressed interest in reusing the properties, therefore they were declared surplus by the Department of General Services. This sales ordinance will allow the disposition and sale of the subject properties, which are no longer needed for public use.

**Recommendation:** Approval

**10. CITY COUNCIL BILL #14-0454/ URBAN RENEWAL – INNER HARBOR PROJECT I – AMENDMENT (City Council President – Administration)**

For the purpose of amending the Urban Renewal Plan for Inner Harbor Project I to delete a building requirement for a certain development area, to delete in its entirety a certain development area from the Plan, and to amend certain exhibits to the Plan to reflect the deletion of that development area; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date. (Eleventh District)

As introduced, this bill removes prohibitions on above grade parking, permits mixed-use residential development and makes other technical corrections for two development parcels within the URP area to allow proposed development at 414 Light Street and 611 South Charles Street to proceed. Staff's amendment proposes similar technical corrections for a third development parcel that was not included in the introductory version of the bill due to timing to allow the proposed development at 300 East Pratt Street to proceed.

**Recommendation:** Approval with the following amendments:

In the Plan, in V. P., delete Development Area 7 in its entirety and amend the exhibits as follows: update the Development Areas exhibit to reflect the deletion of Development Area 7, amend the Land Use exhibit to change the land use designation from "Commercial/Public" to "Commercial Residential" for a portion of the property known as 300 East Pratt Street , and amend the Proposed Zoning exhibit to remove the "Commercial Use District" designation from a portion of the property known as 300 East Pratt Street to reflect the deletion of the Development Area 7.

**2:00 PM**

**11. CITY COUNCIL BILL #14-0449/ URBAN RENEWAL – COLDSRING NEIGHBORHOOD DEVELOPMENT PROGRAM – AMENDMENT**(Councilmember - Sharon Green Middleton)

For the purpose of amending the Urban Renewal Plan for Coldspring Neighborhood Development Program to delete an existing land use and to add a new land use to the Plan, to establish design standards for the new land use, to remove certain language from a development objective, to delete the acquisition and clearance provisions from the Plan, and to delete a certain exhibit from the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date. (Sixth District)

The purpose of this bill is to amend the Coldspring Neighborhood Development Program Urban Renewal Plan to add a new Transit-Oriented Development land use for the proposed Coldspring Transit-Oriented Development site at the and recommend rezoning for those properties from M-1-1 to B-2-3. The Transit-Oriented Development land use would further restrict the permitted uses in the proposed B-2-3 zoning and create design standards for the Transit-Oriented Development land use. Other technical corrections to the URP are also included.

**Recommendation:** Approval with the following amendment:

In the Plan, under C. 2. f. add public utilities to the permitted uses within the Public Land Use for Disposition Lot 1 only, and update Exhibits ND 401-1: Land Use, ND 401-3: Disposition and ND 401-4: Zoning (see Figures 2, 3 and 4, attached).

**CITY COUNCIL BILL #14-0456/ REZONING – 2001, 2011, 2013, 2105, 2107, AND 2201 WEST COLD SPRING LANE** (Councilmember - Sharon Green Middleton)

For the purpose of changing the zoning for the properties known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane (Block 3357E, Lots 001, 005A, 005B, 006, 007/009, 009A), as outlined in red on the accompanying plat, from the M-1-1 Zoning District to the B-2-3 Zoning District. (Sixth District)

This bill would implement the proposed zoning for the Coldspring Transit-Oriented Development site recommended in City Council Bill #14-0449/Urban Renewal - Coldspring Neighborhood Development Program – Amendment.

**Recommendation:** Approval





Stephanie Rawlings-Blake  
Mayor

**PLANNING COMMISSION**

*Wilbur E. "Bill" Cunningham, Chairman*

**STAFF REPORT**



Thomas J. Stosur  
Director

**August 7, 2014**

**REQUEST:** Street Closing/Closing Portion of Creek Alley between West Cross and West West Streets, Block 0947

**RECOMMENDATION:** Approval, subject to the Petitioner completing the purchase of Lots 3, 16, 30, 39 and 43.

**STAFF:** Alexandra Hoffman

**COMPREHENSIVE PLANNER:** Alexandra Hoffman

**PETITIONER:** Joseph R. Woolman, III, Esquire, on behalf of Caves Valley Partners

**OWNER(S):** Mayor and City Council

**SITE AREA**

Site Conditions: The Subject Right-of-Way is the 1100 block of Creek Alley between West Cross Street to the north and West West Street to the south.

General Conditions: The Subject Right-of-Way is located in the Sharp Leadenhall neighborhood, southeast of Oriole Park at Camden Yards and M&T Bank Stadium, three blocks west of the Cross Street Market and two blocks east of I-395.

**ANALYSIS**

This proposed street closing would impact the 1100 block of Creek Alley between West Cross Street to the north and West West Street to the south (see Figure 1: Block Plat, attached). The Petitioner, Caves Valley Partners, owns or has under contract all of the properties on either side of the Subject Right-of-Way as summarized below:

Lot	Owner	Status
1	Stadium Square I, LLC	Acquired
3	Dixie Realty, LLC	Under Contract
16	Dixie Realty, LLC	Under Contract
30	Dixie Realty, LLC	Under Contract
39	Harry D. McCarty	Under Contract
43	Harry D. McCarty	Under Contract

A utility investigation is currently being conducted and any utilities within the Subject Right-of-Way may be required to be relocated in the event of future development.

It is staff's finding that upon completion of the Petitioner's purchase of the parcels currently under contract (Lots 3, 16, 30, 39 and 43), the Subject Right-of-Way is not needed to provide access to adjacent properties since all the properties will be under single ownership. Thus, once the Petitioner completes the purchase of Lots 3, 16, 30, 39 and 43, the Subject Right-of-Way is no longer needed for a public purpose and can be closed, the Right-of-Way declared surplus property and sold.

The Petitioner, Caves Valley Partners, is acquiring and consolidating properties in Block 0947 for a planned mixed-use redevelopment. The properties are presently split-zoned industrial and office-residential. Therefore, it is anticipated that any mixed-use redevelopment will require City Council bills for both rezoning and amendments to the Urban Renewal Plan. These bills, if introduced, would be referred to the Planning Commission for a recommendation to the City Council before the development could proceed. Additionally, Department of Planning review through the Urban Design and Architectural Review Panel, Site Plan Review Committee and the regulated floodplain is anticipated.

### **CONFORMITY TO PLANS**

Comprehensive Master Plan: This proposed street closing is compatible with the Comprehensive Master Plan for Baltimore City, specifically:

LIVE

Goal 1: Build Human and Social Capital by Strengthening Neighborhoods  
*Objective 2*: Strategically Redevelop Vacant Properties throughout the City

Sharp-Leadenhall Urban Renewal Plan: The Subject Right-of-Way is located within the Sharp-Leadenhall Urban Renewal Plan which does not further restrict the proposed action. However, it is anticipated that the proposed mixed-use redevelopment will require amendments to the Urban Renewal Plan.

### **COMMUNITY NOTIFICATION**

The Sharp Leadenhall Planning Committee, Inc., the South Baltimore Partnership Community Corporation, and the Leadenhall Baptist Church have been notified of the requested action.



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