


TJS

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 # 09-0371/URBAN RENEWAL AMENDMENT- PARK HEIGHTS		

TO

DATE: August 10, 2009

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

At its regular meeting of August 6, 2009 the Planning Commission considered City Council Bill #09-0371, for the purpose of amending the Park Heights Urban Renewal Plan.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendments to and approval of City Council Bill #09-0371 and adopted the following resolution, nine members being present (nine in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #09-0371 be amended and passed by the City Council.

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

TJS/WA/ttl

Attachments

cc:

- Mr. Andy Frank, Deputy Mayor
- Mr. Demuane Millard, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Mr. Geoffrey Veale, Zoning Enforcement
- Mr. David Tanner, BMZA
- Ms. Nikol Nabors-Jackson, DHCD
- Mr. Larry Greene, Council Services



Sheila Dixon
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 6, 2009

REQUEST: City Council Bill #09-0371/Urban Renewal Amendment – Park Heights

For the purpose of amending the plan to add acquisition and disposition authority for the following eight properties: 4041 and 4045 Lewiston Avenue; 5339, 5341, 5343, 5345, and a rear portion of 5403 Reisterstown Road; and 4025 W. Rogers Avenue; and for the purpose of creating new Disposition Lot #7 and assigning specific disposition controls to it.

RECOMMENDATION: Amendment and approval. Technical amendments are proposed as follows:

- On p. 2, lines 25 and 35, delete 4025 W. Rogers Avenue in its entirety.
- On p. 2, line 24, revise the block and lot reference for 5403 Reisterstown Road from 4511 D 011 (rear portion only) to 4511E 001 (rear portion only).
- On p. 2, line 32, revise the block and lot reference for 5403 Reisterstown Road from 4511E 011 to 4511E 001.

STAFF: Natasha Becker

PETITIONER(S): Baltimore Development Corporation, on behalf of Hilltop Development Associates, LLC

OWNER: Mayor and City Council of Baltimore

SITE/ GENERAL AREA

Site Conditions: The Hilltop Shopping Center is located at the corner of Reisterstown Road and West Rogers Avenue in the Park Heights area of northwest Baltimore. The shopping center was constructed in 1950 and consists of two main components: a retail strip (consisting of 28,185 square feet divided among multiple tenant spaces) and a former movie theater (with 17,460 square feet of space). The Kress Theater was once a valuable anchor for the shopping center but went out of business many years ago. The front portion of that structure has been converted to retail space and now houses a pawn shop. The rear portion of the theater remains unused. Other tenants include a cell phone store, a beauty supply store, a nail salon, a check cashing office, a carry-out restaurant, a tax preparation office, and Murray's Steaks.

General Area: The Park Heights Urban Renewal Plan area (URP) is bounded by Northern Parkway to the north, Greenspring Avenue to the east, Wabash Avenue to the west, and Park Circle to the south. This area is primarily residential in nature, but contains a mix of other land

uses, including the Cold Spring Lane and Belvedere commercial areas, Sinai Hospital, Pimlico Racetrack, and the Wabash Avenue industrial area.

HISTORY

- Ordinance No. 73-304, approved April 16, 1973, established the Park Heights Urban Renewal Plan. There were a series of successive amendments to that plan. The last amendment (No. 10), dated November 17, 2003, was approved by the Mayor and City Council of Baltimore by Ordinance No. 04-676, dated May 10, 2004.
- On February 2, 2006, members of the Planning Commission approved a new Park Heights Master Plan.
- On September 11, 2008, the Planning Commission recommended a series of amendments to the Park Heights Master Plan
- Also on September 11, 2008, the Planning Commission recommended repeal of the existing Park Heights URP and re-designation under a new ordinance.
- Ordinance No. 08-158, approved December 11, 2008, established the new Park Heights Renewal Plan.

PROJECT DESCRIPTION

In 2008, the State of Maryland issued a Request for Proposals (RFP) for approximately 25,000 square feet of office space on at least 4-6 acres of land in Baltimore City to be occupied by the Maryland Department of Transportation's Motor Vehicle Administration (MVA). The RFP was awarded to Hilltop Development Associates, LLC, a development entity comprised of the A&R Development Corporation and the owners of the Hilltop Shopping Center. The proposed new site will replace the MVA's current Baltimore City location at Mondawmin Mall, which they must vacate by May 2011.

The redevelopment of the Hilltop Shopping Center consists of two main components: creation of new office space for the MVA and refurbishment of the existing strip retail center. The new MVA will serve as the main anchor for the site, bringing in tens of thousands of visitors on an annual basis. Approximately 21,000 square feet of office space will be created within the former theater structure, including an area of new construction approximately 4,500 square feet in size. The space will be leased to the MVA for a ten-year period. The full service facility will include two driver test courses and over 350 parking spaces. Rehabilitation of the existing strip center will take advantage of the increased site traffic and is expected to bring in a higher quality tenant mix. The team has prepared a site development plan and has already begun preliminary design work on the project.

The footprint required to accommodate the proposed development program is greater than the area currently controlled by the development team, despite their efforts to acquire the needed properties through negotiation. As such, acquisition and disposition authority is being sought for the following parcels: 4041 and 4045 Lewiston Avenue; and 5339, 5341, 5343, 5345 and a rear portion of 5403 Reisterstown Road. 4041 and 4045 Lewiston Avenue are both unimproved parcels. 5339, 5341, and 5343 Reisterstown Road are improved with 2-story residential structures that are currently unoccupied. Of those, 5339 and 5341 Reisterstown Road has received vacant building notices. 5345 Reisterstown Road is paved but otherwise unimproved, as is the rear portion of 5403 Reisterstown Road. A final parcel listed in the bill is 4025 West

Rogers Avenue, which is improved with a commercial structure. That property was very recently acquired through auction by the owners of the Hilltop Shopping Center. Thus, acquisition and disposition authority is no longer needed for this particular parcel, and an amendment is proposed to strike it from the list of properties included in the bill.

All of the properties desired for acquisition are zoned B-3-2, and the proposed redevelopment conforms with zoning requirements of the B-3 district, as well as the land use provisions of the URP. However, it should be noted that in order for the rear portion of 5403 Reisterstown Road to be acquired, the property must first be legally subdivided and a separate lot created.

ANALYSIS/CONFORMITY TO PLANS

In its review of the current request, staff considered whether the request conforms to adopted or legislated plans for the City as a whole and for the specific area in question. The Comprehensive Master Plan for Baltimore City seeks to preserve the use of eminent domain for underutilized and/or contaminated parcels of commercial and industrial land (EARN Goal 1, Objective 1, Strategy 5). Since all properties in question are either unimproved or improved but have been vacant for some time, it is clear that they are underutilized.

And while the specific proposal put forth by A&R Development Corp. and the MVA was not contemplated at the time of passage of either the Park Heights Master Plan or the Park Heights Urban Renewal Plan, it is not in conflict with those plans. It in fact furthers key objectives of each. Specifically, the request conforms to the fifth objective of the Park Heights Urban Renewal Plan: To provide a variety of modern, urban commercial centers for diverse economic groups. Additionally, the Park Heights Master Plans lists the following two major priorities, which the current proposal supports:

- Enhance the appearance, mix, usability, and vitality of businesses and small commercial districts in the neighborhood.
- Focus on physical improvements, cleanup, and other development efforts that will improve the image of Park Heights.

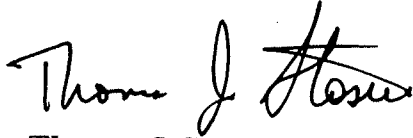
CONCLUSION

The proposed redevelopment of the Hilltop Shopping Center achieves the following:

- It attracts a major government service provider to the area;
- It restores underutilized commercial-zoned property to viable economic use; and
- It makes possible the rehabilitation of an existing decades-old commercial center.

As such, staff has concluded that the proposed redevelopment project serves a valid public purpose and supports passage of City Council Bill #09-0371 with amendments. As previously noted, an amendment is needed to remove 4025 West Rogers Avenue from the list of properties included for acquisition and disposition authority. Two other technical amendments are needed to revise an incorrect block and lot reference for one of the addresses.

In advance of a hearing on this matter, staff notified all of the affected property owners and the following community groups: Woodmere Neighborhood Association, Hilltop 4100 Association, Park Heights Renaissance, Inc., and the Reisterstown Road Merchants Coalition.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a large, stylized initial "T".

Thomas J. Stosur
Director