

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 #10-0581/CITY STREETS – CLOSING- NEWGATE AVENUE AND VAIL STREET		

TO

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

DATE:
 September 15, 2010

At its regular meeting of September 2, 2010 the Planning Commission considered City Council Bill #10-0581, for the purpose of condemning and closing (1) Newgate Avenue, extending from New Vail Street, Easterly 1, 510.0 feet, more less, to Vail Street, and (2) Vail Street, extending from Newgate Avenue, Northerly 825.0 feet, more or less, as shown on Plat 217-A-130 in the Office of the Department of General Services; and providing for 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 #10-0581 and adopted the following resolution, nine members being present (nine in favor).

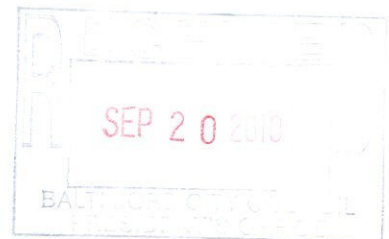
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #10-0581 be passed by the City Council.

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

TJS/WYA/ttl

Attachments

- cc: Ms. Kaliopé Parthemos, Deputy Mayor
- Ms. Sophie Dagenais, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Bill Henry, Council Rep. for Planning Commission
- Ms. Marcia Collins, DPW
- Mr. Paul Barnes, DGS
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veal, Zoning Enforcement, DHCD
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Karen Randle, City Council Services





Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

SUMMARY

September 2, 2010



Thomas J. Stosur
Director

3. CITY COUNCIL BILL #10-0588/BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SCHOOL SYSTEM REVENUE BONDS

The American Recovery and Reinvestment Act (ARRA) of 2009 authorized \$22 Billion of bonding capacity for school districts nationwide. They are called Qualified School Construction Bonds (QSCB). A large portion of the bonding authority was allocated to the top 100, Title I, Local Educational Authorities (LEAs), including Baltimore City. These bonds are tax credit bond for which only the principal must be repaid to the bond holders. Baltimore City was initially awarded \$116.2 Million in QSCB authority over two years. This was reduced to \$111 Million. They must be paid over 15 years. The bonds must be issued in the calendar year that they are received or they will revert to the State.

4. FINAL SUBDIVISION AND DEVELOPMENT PLAN/700-726 SOUTH ANN STREET – MERCHANT POINT

The applicant, Unionbox Company, propose to subdivide the 1.33 acre parcel into 22 lots in order to construct 19 new town homes, retains the existing historic house, the Four Bay House, the existing school, New Century School, and the existing vacant church to be re-used in the future.

Fells Point Community Organization, Fells Point Main Street, Fells Point Task Force, Fell's Point Residents Association, Greenspace Action Partnership (GAP), Preservation Society, and The Baltimore Development Corporation were been notified about this action.

Recommendation: Approval, subject to:

- Comments from the Department of General Services; and
- Compliance with the City's Forest Conservation Requirements.

5. CLOSING AIR-RIGHTS OF MADISON STREET AND FORREST STREET

The proposed air rights closings are located along the 700 block of Forrest Street and the 500 block of E. Madison Street. The Department of Public Safety and Correctional Services (DPSCS), State of Maryland plans to construct a 180-bed new Youth Detention Center (YDC) facility in Baltimore City for housing juvenile detainees charged as adults. The projecting bays are 39'-4" wide and extend 4'-8" from the building face. Only the 4th level recreation areas facing Forrest Street project over public space, as the Graves Street service area is state property. Because of the slope of the site, the projections along Forrest Street range from approximately 23'-6" to 28' above the public sidewalk. At the northeast corner of the building, the 3rd level projects over the Madison Street sidewalk,

just west of the intersection with Forrest Street. This triangular projection over the public space allows the building to turn the corner at the upper levels in a 90-degree angle, accommodating the regular geometry of the housing units on the trapezoidal site. The maximum projection of the triangle is approximately 9' from the face of the building. The projection along Madison Street varies from 23'-6" to 25'-6" above the public sidewalk. It is staff's opinion that the specific air rights portion of Forrest Street and Madison Street can be closed without adversely affecting the surface use of either street. Therefore, it can be closed, declared surplus right-of-way, and be disposed of.

Staff notified Jonestown Planning Council, Inc., East Baltimore Community Corporation, Inc., and Change4Real of this Planning Commission action.

Recommendation: Approval, subject to the requirements of the Department of Public Works

6. CITY COUNCIL BILL #10-0522/ REQUIRED PARKING FOR BICYCLES

This bill seeks to create a requirement for bicycle parking spaces in the Zoning Code, and specifies how they are to be provided. Definitions are added to separate vehicle parking spaces and bicycle parking spaces. The size of bicycle parking spaces is determined, as well as other requirements for design and access to the bicycle parking spaces. Bicycle parking spaces will be required at a rate of one per ten vehicle parking spaces. An offset is provided that will reduce the number of vehicles parking spaces on a one-for-one basis for each bicycle parking space that is required.

Staff recommends three amendments. First, altering the proposed vehicles parking space offset from a one-for-one reduction to an area-for-area reduction. Based on the new dimensions for bicycle parking spaces, eight of them would occupy almost the same area as one vehicle parking space (normally 9' by 20'). For that reason, an offset of one vehicle parking space for each eight bicycle parking spaces would seem appropriate. Second, for large projects that require more than 500 vehicle parking spaces, a stepped requirement would also seem appropriate. Staff proposes that after the first fifty bicycle parking spaces are provided (to accompany the 500 vehicle parking spaces), additional bicycle parking spaces are only required at a rate of one-half of a bicycle parking space per ten vehicles parking spaces required. Lastly, staff recommends that clarifying language be added to §10-302 to allow bicycle parking spaces in public rights-of-way, as the City may allow, within 100' of the property boundaries by-right. An amendment to §3-209(c) is also needed to add a listing for bicycle parking spaces that are to be permitted in all three categories of required yards. Staff would defer to the Law Department and the Department of Legislative Reference for the form of such language.

Recommendation: Amend and Approve

7. CITY COUNCIL BILL#10-0529/ CITY PROPERTY – NAMING THE FIRE STATION, LOCATED AT 5714 EASTERN AVENUE, THE KONSTANTINE PREVAS FIRE STATION

This bill would name the Baltimore City Fire Department E-124 T-20, located at 5714 Eastern Avenue, to be the Konstantine Prevas Fire Station. Mr. Prevas served on Baltimore City's Board of Fire Commissioners and his deciding vote was instrumental in bringing down the barriers of discrimination within the Baltimore City Fire Department. Reverend Marion Bascom (the first black Fire Board Commissioner) gives Mr. Prevas sole credit for his historic vote to eliminate discrimination within Baltimore City Fire Department firehouses. Mr. Prevas does not see his vote as something of significance but more of something that needed to be done.

Therefore, the Department of Planning and The African American Fire Fighters Historical Society sees naming the firehouse, located at 5714 Eastern Avenue, the Konstantine Prevas Fire Station a fitting tribute to honor Mr. Prevas. His historical vote has promoted a healthier work environment for all fire fighters within Baltimore City

Staff notified The Greater Greektown Neighborhood Alliance, Greektown Community Development Corporation - (GCDC), The African American Fire Fighters Historical Society, Marion Bascom, the Fire Department Officials, and City Council Representative of this action.

Recommendation: Approval

8. CITY COUNCIL BILL #10-0585/SALE OF PROPERTY – 1536 NORTH CAROLINE STREET

This bill would authorize the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property that is located at 1536 North Caroline Street (Block 1125, Lot 032) and is no longer needed for public use; and provide for a special effective date.

The 1536 North Caroline Street is improved with a three-story row building zoned R-8, and is located in the Oliver Neighborhood Development Program Urban Renewal Plan area and the Old East Baltimore National Register Historic District. The building is currently vacant, and this property was transferred by the Housing Authority of Baltimore City to the Mayor and City Council (Department of Housing and Community Development) on February 23, 2007. The Department of Housing and Community Development would like to sell this property so that it can be rehabilitated and used for decent, safe, and sanitary housing. It is staff's findings that this property is not needed by the City of Baltimore for a public facility and can be disposed of for redevelopment purposes.

new shelter would be installed near the Baltimore and Howard Streets intersection, leaving the total number of bus shelters unchanged. Planning Department staff has reviewed the design for these bus shelters and recommends approval for their use as the replacement shelters.

Recommendation: Approval

11. CITY COUNCIL BILL #10-0507/CITY PROPERTY – GRANT OF EASEMENT – PORTION OF 2201 WEST COLD SPRING LANE

For the purpose of authorizing the Mayor and City Council of Baltimore to grant a Perpetual Easement for Municipal Utilities and Services through the parcel of land known as a portion of 2201 West Cold Spring Lane (Block 3357E, Lot 9A), as shown on Plat R.W. 20-36315 and filed in the Office of the Department of General Services; and providing for a special effective date.

On November 5, 2009, the Planning Commission approved the Final Design for the Signage and Lighting package for the Loyola College Athletic Complex PUD located at 2201 West Coldspring Lane. The perpetual easement for municipal utilities and services was identified and approved for the 2201 West Coldspring Lane property.

Thus, legislation is consistent with the previous Planning Commission action, and staff remains in full support.

Recommendation: Approval

12. CITY COUNCIL BILL #10-0579/CITY STREETS – CLOSING – BRUCE STREET AND 2 10-FOOT ALLEYS LYING WITHIN THE PENN NORTH HOUSING AND COMMUNITY DEVELOPMENT PROJECT

For the purpose of condemning and closing (1) Bruce Street, extending from Clifton Avenue, Southerly and Southeasterly 400.4 feet, more or less, (2) a 10-foot alley located on the west side of Bruce Street, distant 106.0 feet, more or less, southerly from Clifton Avenue, and extending westerly 52.0 feet, more or less, and (3) a 10-foot alley located on the east side of Bruce Street, distant 82.0 feet, more or less, southerly from Clifton Avenue, and extending easterly 35.0 feet, more or less, and lying within the Penn North Housing and Community Development Project, as shown on Plat 264-A-20A in the Office of the Department of General Services; and providing for a special effective date.

On March 18, 2010, the Planning Commission approved, subject to compliance with the Department of General Services' requirements, the closing of Bruce Street, between Clifton Avenue to the north and Retreat Street to the south along with two 10-foot alleys in connection with Maryland Food Bank's proposed warehouse. This legislation is the third step in a four step process that is required to dispose of surplus right-of-way property. This request is consistent with the previous Planning Commission action, and staff remains in full support.

Recommendation: Approval

13. CITY COUNCIL BILL #10-0580/SALE OF PROPERTY – FORMER BEDS OF BRUCE STREET AND TWO TEN-FOOT ALLEYS LYING WITHIN THE PENN NORTH HOUSING AND COMMUNITY DEVELOPMENT PROJECT

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 parcels of land known as the former beds of (1) Bruce Street, extending from Clifton Avenue, Southerly and Southeasterly 400.4 feet, more or less, (2) a ten-foot alley located on the west side of Bruce Street, distant 106.0 feet, more or less, southerly from Clifton Avenue, and extending westerly 52.0 feet, more or less, and (3) a ten-foot alley located on the east side of Bruce Street, distant 82.0 feet, more or less, southerly from Clifton Avenue, and extending easterly 35.0 feet, more or less, and lying within the Penn North Housing and Community Development Project and no longer needed for public use; and providing for a special effective date.

On March 18, 2010, the Planning Commission approved, subject to compliance with the Department of General Services' requirements, the closing of Bruce Street, between Clifton Avenue to the north and Retreat Street to the south along with two 10-foot alleys in connection with Maryland Food Bank's proposed warehouse. City Council Bill #10-0580 is the required legislation that will allow the City to dispose of the aforementioned right-of-way, which is no longer needed for public purposes. This legislation is the final step in a four step process that is required to dispose of surplus right-of-way property. This action request is consistent with the previous Planning Commission action, and staff remains in full support.

Recommendation: Approval

14. CITY COUNCIL BILL #10-0581/ CITY STREETS – CLOSING – NEWGATE AVENUE AND VAIL STREET

For the purpose of condemning and closing (1) Newgate Avenue, extending from New Vail Street, Easterly 1,510.0 feet, more or less, to Vail Street, and (2) Vail Street, extending from Newgate Avenue, Northerly 825.0 feet, more or less, as shown on Plat 217-A-130 in the Office of the Department of General Services; and providing for a special effective date.

On April 1, 2010, the Planning Commission approved the closing a portion of Newgate Street. Also, on April 15, the Planning Commission approved the closing of a portion of Vail Street.

City Council Bill #10-0581 is the required legislation that will allow the City to formally close the aforementioned right-of-ways, which are no longer needed for public purposes. This legislation is the third step in a four step process that is required to dispose of surplus right-of-way property. This request is consistent with the previous Planning Commission action, and staff remains in full support.

Recommendation: Approval

15. CITY COUNCIL BILL #10-0582/SALE OF PROPERTY – FORMER BEDS OF NEWGATE AVENUE AND VAIL STREET

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 parcels of land known as the former beds of (1) Newgate Avenue, extending from New Vail Street Easterly 1,150.0 feet, more or less, to Vail Street and (2) Vail Street, extending from Newgate Avenue Northerly 825.0 feet, more or less, and no longer needed for public use; and providing for a special effective date.

On April 1, 2010, the Planning Commission approved, the closing a portion of Newgate Street. Also, on April 15, the Planning Commission approved the closing of a portion of Vail Street.

This legislation is the final step in a four step process that is required to dispose of surplus right-of-way property. This action request is consistent with the previous Planning Commission action, and staff remains in full support.

Recommendation: Approval

16. CITY COUNCIL BILL #10-0584/FRANCHISE – STRUCTURAL PROJECTIONS OVER THE BED OF ASHLAND AVENUE

For the purpose of granting a franchise to 929 N. Wolfe, LLC, to construct, use, and maintain a private structural projection over a portion of the bed of Ashland Avenue, subject to certain terms, conditions, and reservations; and providing for a special effective date.

On April 15, 2010, members of the Planning Commission granted Final Design Approval to 929 N. Wolfe Street, LLC, developers of a new graduate student high rise within the New East Baltimore Community Planned Unit Development (PUD). Specifically, the plan is to construct a mixed-use residential building with ground floor retail at the northeast corner of Ashland Avenue and North Wolfe Street. The residential component is to serve John Hopkins graduate students and their families. There will be a total of 324 apartment units, ranging from efficiencies to four bedroom units. The site was recently subdivided to create the parcel on which the building will sit, to be known as 929 North Wolfe Street. The building, now under construction, will be a mixture of brick and metal panel with structural projections comprised of occupiable floor space. As such, the franchise request is consistent with the previous Final Design Approval.

Recommendation: Approval

17. CITY COUNCIL BILL #10-0586/SHARP LEADENHALL HISTORIC DISTRICT

For the purpose of designating the area located within certain boundaries as the Sharp Leadenhall Historic District.

On November 10, 2009 the Commission for Historical and Architectural Preservation (CHAP) approved Sharp Leadenhall as a Local Historic District. On April 15, 2010, the Planning Commission approved Local Historic District Designation for Sharp

Leadenhall. CHAP's action is the first step and the Planning Commission's action is the second step in a three-step process for Baltimore City local historic district designation. This bill is the final step in the process. This action is consistent with the previous CHAP and Planning Commission actions.

Recommendation: Approval

**18. CITY COUNCIL BILL #10-0587/BALTIMORE CITY LANDMARK LIST:
PUBLIC INTERIORS - THE SENATOR THEATRE**

For the purpose of designating the Senator Theatre, 5904 York Road, as a historical landmark: public interior.


On May 12, 2009 the Commission for Historical and Architectural Preservation (CHAP) approved Landmark Designation of the Public Interior of the Senator Theater located at 5604 York Road. On December 17, 2009 the Planning Commission approved Historic Landmark Designation of the Public Interior of the Senator Theater. CHAP's action is the first step and the Planning Commission's action is the second step in a three-step process for Baltimore City Historic Landmark Designation. This bill is the final step in the process. This action is consistent with the previous CHAP and Planning Commission actions.

Recommendation: Approval

**19. REVISED FINAL DEVELOPMENT PLAN/3029 AND 3031 DILLON STREET
TOWNHOUSE FORMERLY PART OF 1000 SOUTH ELLWOOD AVENUE**

On June 11 2009, the Planning Commission approved the Final Subdivision Plan and Final Development Plan for 1000 South Ellwood Avenue to consolidate and re- subdivide the property into four lots for the construction of three new town homes and the renovation of an existing church into a single family home. On April 15, 2010 the Planning Commission approved a Revised Development Plan for one of the lots (3027 Dillon Street) in order to provide a garage instead of a car port. The applicant wishes to provide garages at 3029 and 3031 Dillon Street. These changes do not adversely impact the overall development plan for the site, and are consistent with the Planning Commission's initial approval of this action.

Recommendation: Approval

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	STREET CLOSING/ PORTIONS OF NEWGATE AVENUE		

TO

DATE:

May 21, 2010

Mr. David Scott, Director
 Department of Public Works
 Abel Wolman Building, Room 600
 200 North Holliday Street

This is to inform you that on April 1, 2010 the Planning Commission recommended approval of the closing of portions of Newgate Avenue.

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

TJS/WA/ttl

Attachments

cc:

- Mr. Andrew Frank, Deputy Mayor
- Ms. Sophie Dagenais, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Bill Henry, City Council Rep. -- Planning Commission
- Ms. Elena DiPietro, Chief, Law Department
- Ms. Marcia Collins, DPW
- Mr. Paul Barnes, DPW
- Ms. Nikol Nabors-Jackson, DHCD



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

April 1, 2010

REQUEST: Street Closing / Portion of Newgate Avenue

RECOMMENDATION: Approval, subject to comments from the Department of General Services

STAFF: Melvin Hicks

PETITIONERS: Maryland Port Administration

OWNER: Mayor and City Council of Baltimore

SITE/GENERAL AREA

Site Conditions: The portion of Newgate Avenue proposed for closing is west of Vail Street. The right-of-way for this former street is approximately 875 feet in length and 38 feet in width. The street bed no longer exists and is being used by the State of Maryland.

General Area: Newgate Avenue is located in the Canton Industrial Area within southeast Baltimore. This area is characterized by industrial, manufacturing and maritime industrial uses.

HISTORY

There have been no previous Planning Commission actions pertaining to the subject site.

CONFORMITY TO PLANS

This proposed street closing for Newgate Avenue is in conformance with the Baltimore City Comprehensive Master Plan with respect to that addresses the City's Comprehensive Master Plan's Earn Section, Goal 1, Objective 1: Retain and Attract Businesses in all Growth Sectors.

ANALYSIS

The Maryland Port Administration requested that the subject portion of Newgate Avenue be closed in connection with its Seagirt Marine Terminal. In 1988 the City and the State entered into an agreement by which Newgate Avenue would be closed and conveyed to the State and used as part of the Seagirt Marine Terminal. The Seagirt Marine Terminal is 200 acres in size and contains a 66 acres intermodal container transfer facility.


The City would be able to close this portion of Newgate Avenue because the State agreed to construct a new connecting street. The new connecting street has been constructed, it is open and operating, and is known as New Vail Street. New Vail Street is State owned and

maintained and can be used by the public. Thus, it is staff's findings that the aforementioned portion of Newgate Avenue is no longer needed for Baltimore City public purposes and can be closed, declared surplus right-of-way, and sold.

Staff notified the Canton Maritime Association, Southeast Community Development Corporation, Southeastern Improvement Association, and the City Council Representative of this Planning Commission action.

Lang W. Cole / for T. Stosur

Thomas J. Stosur
Director

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	STREET CLOSING/ PORTION OF VAIL STREET		

TO

DATE:

May 21, 2010

Mr. David Scott, Director
 Department of Public Works
 Abel Wolman Building, Room 600
 200 North Holliday Street

This is to inform you that on April 15, 2010 the Planning Commission recommended approval of the closing of a portion of Vail Street.

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

TJS/WA/ttl

Attachments

cc:

- Mr. Andrew Frank, Deputy Mayor
- Ms. Sophie Dagenais, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Bill Henry, City Council Rep. – Planning Commission
- Ms. Elena DiPietro, Chief, Law Department
- Ms. Marcia Collins, DPW
- Mr. Paul Barnes, DPW
- Ms. Nikol Nabors-Jackson, DHCD



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

April 15, 2010

REQUEST: Street Closing / Portion of Vail Street

RECOMMENDATION: Approval, subject to comments from the Department of General Services

STAFF: Melvin Hicks

PETITIONERS: Maryland Port Administration

OWNER: Mayor and City Council of Baltimore

SITE/GENERAL AREA

Site Conditions: The portion of Vail Street that is being proposed for closing is south of Keith Avenue and parallels "New" Vail Street, which is to the west. The street is approximately 850 feet in length and 50 feet in width.

General Area: Vail Street is located in the Canton Industrial Area within southeast Baltimore. This area is characterized by industrial, manufacturing and maritime industrial uses.

HISTORY

- On April 1, 2010, the Planning Commission approved the closing of a portion of Newgate Avenue.

CONFORMITY TO PLANS

This proposed street closing for Vail Street is in conformance with the Baltimore City Comprehensive Master Plan with respect to that addresses the City's Comprehensive Master Plan's Earn Section, Goal 1, Objective 1: Retain and Attract Businesses in all Growth Sectors.

ANALYSIS

The Maryland Port Administration requested that the subject portion of Vail Street be closed in connection with its Seagirt Marine Terminal. In 1988 the City and the State entered into an agreement by which Vail Street would be closed and conveyed to the State and become a private access road for the Seagirt Marine Terminal. The Seagirt Marine Terminal is 200 acres in size and contains a 66 acres intermodal container transfer facility. The Maryland Port Administration has received consent from adjoining property owners (Maryland Transportation Authority, State of Maryland and Baltimore Gas & Electric) to close this portion of Vail Street.

The City would be able to close this portion of Vail Street because the State agreed to construct a new connecting public street. The new connecting street has been constructed, it is open and operating, and is known as "New" Vail Street. "New" Vail Street is State owned and maintained and can be used by the public. Thus, it is staff's findings that the aforementioned portion of Vail Street is no longer needed for Baltimore City public purposes and can be closed, declared surplus right-of-way, and sold.

Staff notified the Canton Maritime Association, Southeast Community Development Corporation, Southeastern Improvement Association, and the City Council Representative of this Planning Commission action.

Gay W. Cole / for T. Stosur

Thomas J. Stosur
Director