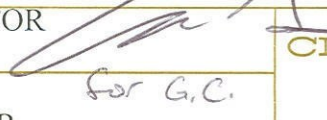
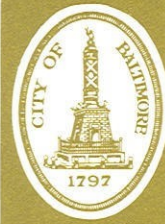


FROM	NAME & TITLE	GARY W. COLE – ACTING DIRECTOR	 CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #08-0153/ CITY STREETS – CLOSING–CERTAIN STREETS LYING WITHIN THE AREA BOUNDED BY PATTERSON AVENUE- PARR AVENUE-SPRING AVENUE AND CSX TRANSPORTATION, INC. RAILROAD RIGHT-OF-WAY		

TO

DATE:

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

November 17, 2008

At its regular meeting of August 7, 2008 the Planning Commission considered City Council Bill #08-0153, for the purpose of condemning and closing certain streets or portions of them lying within the area bounded by Patterson Avenue, Parr Avenue, Spring Avenue and the CSX Transportation, Inc. Railroad Right-of-Way, as shown on Plat 114-A-30A in the Office of the Department of Public Works; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached agenda and previous staff report which recommended approval of City Council Bill #08-0153 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 #08-0153 be passed by the City Council.

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

GC/kh

Attachments

- cc:
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. for Planning Commission
- Mr. David Tanner, BMZA
- Mr. Paul Graziano, Commissioner, DHCD
- Ms. Kim Washington, DHCD
- Ms. Jennifer Coates, Councilmanic Services
- Ms. Marcia Collins, DPW
- Mr. Paul Barnes, DPW



PLANNING COMMISSION

STAFF REPORT

February 8, 2007

REQUEST: City Council Bill 07-0586/Rezoning – Ward 28, Section 02, Block 4264 (Portions of Lots 1 through 12), Ward 28, Section 02, Block 4265 (Portions of Lots 1 through 15), Ward 28, Section 02, Block 4267 (Portions of Lots 17 through 25), Ward 28, Section 02, Block 4275 (Portions of Lots 12 through 21) and Portions of Public Right-of-Ways of Wabash Avenue, Vincennes Avenue, Ridge Avenue, Spring Avenue, and Armstrong Avenue from the M-1-1 Zoning District to the R-4 Zoning District: For the purpose of changing the zoning for the properties and portions of public right-of-ways of Wabash Avenue, Vincennes Avenue, Ridge Avenue, Spring Avenue, and Armstrong Avenue, from the M-1-1 Zoning District to the R-4 Zoning District.

Street Closings/Portions of Vincennes, Wabash, Ridge, Armstrong, and Spring Avenues

Final Subdivision and Development Plan/Brighton Manor – Wabash Avenue at Vincennes Avenue

RECOMMENDATION:

- CCB #07-0586 (Rezoning): Approval
- Street Closing: Approval
- Final Subdivision & Development Plan: Approval, subject to comments from the Department of Public Works

STAFF: Kenneth Hranicky

PETITIONER: Brighton Development Group, LLC

OWNERS: Brighton Development Group, LLC, Mayor and City Council and Maryland Transit Administration

SITE/GENERAL AREA

Site Conditions: The property known as Brighton Manor (Lots 11-34 of Block 4267 and all of Blocks 4275, 4262 and 4264) are unimproved parcels. The subject property is zoned R-4 and M-1-1 and totals 6.91 acres in size. The properties are located at the intersection of Wabash Avenue and Patterson Avenue south of the Western Maryland Railroad tracks.

General Area: The subject property is located Northwest Baltimore in the Reisterstown Station and Patterson Avenue Communities. The area surrounding the subject property consists of a combination of single and multi-family residential dwellings.

HISTORY

There have been no previous Planning Commission actions regarding this site.

CONFORMITY TO PLANS

This project is consistent with the Comprehensive Master Plan's LIVE section, Goal One: Build human capital by strengthening Neighborhoods, Objective One: Expand housing choices for all residents and Objective Three: Promote Transit Oriented Development and Mixed-Use Development to Reinforce Neighborhood Centers and Main Streets.

ANALYSIS

The properties collectively known as Brighton Manor (Lots 11-34 of Block 4275 and all of Blocks 4275, 4262, and 4264) are being consolidated and re-subdivided into 32 lots for the development of 30 single family detached homes on individual lots, with the two remaining lots dedicated as forest conservation easement areas. The site borders the existing elevated Metro (subway) tracks. The site is within a half-mile of the Reisterstown subway station and is currently vacant and wooded. The project requires closing portions of the right-of-way of Vincennes, Wabash, Ridge, Armstrong and Spring Avenues. The site is zoned R-4 and M-1-1. The applicant is requesting to have the M-1-1 portion of the site rezoned to R-4.

Rezoning Findings

For a rezoning request, the Planning Commission is required to study the proposed changes in relation to comprehensive or master plans, the needs of Baltimore City, and the needs of the particular neighborhood in the vicinity of the proposed changes. In turn, the Mayor and City Council have certain findings of fact which include impacts to: population changes; the availability of public facilities; present and future transportation patterns; compatibility with existing and proposed development for the area; the recommendations of the Planning Commission; and the relation of the proposed amendment to the City's plan. Then, the Mayor and City Council may grant the amendment based on a finding that there was either a substantial change in the character of the neighborhood where the property is located, or a mistake in the existing zoning classification.

In this case, the Industrial Land Use Analysis, November 2003, prepared by the Baltimore Development Corporation, specifically identified the industrial areas along the Northwest Corridor to be zoned either commercial or residential. The study noted that the Menlo Industrial Park was the only portion of the northwest industrial corridor that has long-term viability. The industrial properties in the rest of the corridor lack the access, size and infrastructure required to be competitive for industrial use. The surrounding residential area and its population has been growing in strength, and market demands suggest that the conversion of this underutilized industrial property for residential purposes is in response to the need of the surrounding neighborhood. The area is adequately served by public facilities and public transportation. The existing roads are sufficient to support the proposed development. The proposed rezoning for residential use is compatible with adjacent residential neighborhood.

Street Closings Findings:

The proposal will require closing portions of the right-of-ways of Vincennes, Wabash, Ridge, Spring and Armstrong Avenues. The Department of Public Works has completed a utility

investigation of these closings and has determined that a 54-inch water main in Wabash Avenue that crosses the site, will remain in the proposed Vincennes Avenue right-of-way for most of its length, with a small portion to be placed in a public utility easement across three of the lots (Lots 26, 27 and 30). The applicant owns all the properties bordering the proposed street closing areas. The streets do not serve any properties except those of the applicant. It is staff's opinion that these streets are no longer needed to provide access to adjacent properties and that each can be closed, declared surplus right-of-way, sold, and incorporated in the redevelopment site.

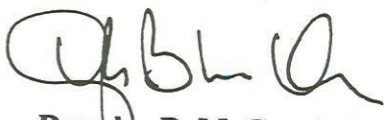
Final Subdivision and Development Plan Findings:

The project involves acquisition by the developer, Brighton Development LLC, of a number of vacant properties from the City of Baltimore and the Maryland Transit Administration. The properties to be acquired from MTA are under a State clearinghouse project. The applicant's proposal is to construct 30 two-story single family homes with integrated garages.

The following is the staff's review of this project.

- **Site Plan:** The site plan has been reviewed and approved by the Site Plan Review Committee. The site plan shows the realignment of Vincennes Avenue with 27 homes fronting Vincennes Avenue and three homes fronting Parr Avenue. Each home will have a two car front loading garage. Three of the lots (Lots 26, 27, and 30) will have a 25' utility easement for an existing 54" water main. Two forest conservation lots are located along Ridge Avenue and Armstrong Avenue.
- **Architectural Elevations:** Elevations for this proposal have been reviewed by a staff architect. The front elevations will include three-over-three windows, an entry door and front loading garage door. There will be different options of materials for the front elevations (brick, stone, or vinyl siding). Both the right and left side elevations will have windows on the first and second floors. The rear elevations will have windows on the first and second floors and a sliding glass door on the first floor.
- **Subdivision and Development Plan Requirements:** This project complies with the City's rules and regulations relative to land subdivision within Baltimore City. The lots have frontage on a public street and will have separate utilities.
- **Zoning Code Requirements:** The subject site is located within an R-4 zoning district and will not require any variances.
- **Forest Conservation:** The Applicant has submitted a landscape plan that has been reviewed and approved by staff. The landscape plan shows street trees and perimeter planting for this site. There will be a 6' board on board fence along that is adjacent to Western Maryland Railroad.

The Brighton Improvement Association, Seton Business Park Association, Glen Neighborhood Association, Inc., and Greater Northwest Community Coalition were notified of these actions.


Douglas B. McCoach, III
Director