


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 #11-0684/ URBAN RENEWAL - WAVERLY BUSINESS AREA - AMENDMENT		

TO

DATE:

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

May 20, 2011

At its regular meeting of May 19, 2011 the Planning Commission considered City Council Bill #11-0684, which is for the purpose of amending the Urban Renewal Plan for Waverly Business Area to amend and clarify certain land uses and to correct, clarify, and conform certain language; 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.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #11-0684 and adopted the following resolution, eight members being present (seven in favor, one opposed).

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #11-0684 be passed by the City Council.

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

TJS/WYA

Attachment

cc: Ms. Kaliopé Parthemos, Deputy Mayor
Mr. Peter O'Malley, Chief of Staff
Ms. Angela Gibson, Mayor's Office
The Honorable Bill Henry, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Nikol Nabors-Jackson, DHCD
Ms. Julie Day, DHCD
Ms. Elena DiPietro, Law Dept.
Ms. Karen Randle, Council Services
Mr. Larry Greene, Council Services
Mr. M. J. "Jay" Brodie, Baltimore Development Corporation



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 19, 2011

REQUEST: City Council Bill 11-0684/ Urban Renewal – Waverly Business Area – Amendment --

For the purpose of amending the Urban Renewal Plan for Waverly Business Area to amend and clarify certain land uses and to correct, clarify, and conform certain language; 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.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER(S): Councilmembers - Clarke, Curran, and Henry

OWNER: All owners within the Waverly Business Area Urban Renewal Plan Project Boundary, as their interests may be affected.

SITE/ GENERAL AREA

Site Conditions: The Waverly Business Area Urban Renewal Plan Project Area is located in north-central Baltimore on both sides of Greenmount Avenue and other streets between Southway on the north and 29th Street and Exeter Hall Avenue on the south. The major portion of the Waverly Business Area is a fan-shaped section beginning approximately at the intersection of Greenmount Avenue and Old York Road that opens northwesterly and northeasterly towards 33rd Street, whose intersection with Greenmount Avenue is generally accepted to mark the functional center or crossroads of the Waverly Business Area. The Waverly Business Area, as defined in the Urban Renewal Plan of the same name, contains predominantly mixed-use commercial properties with some offices and a few residences. The boundary of the Waverly Business Area Urban Renewal Plan area is defined more specifically in part A.1. of the Urban Renewal Plan.

General Area: The areas surrounding this Urban Renewal Area are predominantly residential: row-house neighborhoods of Oakenshawe and Charles Village/ Abell to the west, and mixed semi-detached and row-house neighborhoods of residential Waverly to the east. 33rd Street is a major east-west boulevard and Greenmount Avenue is a major north-south road that each bisect the area, while the remaining streets are generally local residential neighborhood streets.

There is a major recently-constructed supermarket at the northeast corner of the Urban Renewal Area on the south side of 33rd Street that serves as an anchor redevelopment site for the business district. Along its eastern boundary, bordering the Urban Renewal Area on both sides of 34th Street is the Waverly Historic District, and bordering the Urban Renewal Area on both sides of Homestead Street is the Better Waverly Historic District, both locally-designated historic districts with significant stocks of Victorian-era houses.

HISTORY

The Waverly Business Area Urban Renewal Plan was originally approved by the Mayor and City Council of Baltimore by Ordinance No. 1029 dated May 24, 1979. The Urban Renewal Plan has been amended thrice, in 1989, 1995, and most recently by Ordinance No. 02-371 dated July 1, 2002. If adopted, the proposed amendment would be Amendment 4 to the Plan.

The Urban Renewal Plan is currently administered by the Baltimore Development Corporation on behalf of the Department of Housing and Community Development.

As a commercial node, Waverly is nearly 150 years old, having formed around a toll-gate on the former York Turnpike where Old York Road diverged from Greenmount Avenue. Waverly's growth was steady, in terms of both businesses and housing, from the Victorian Era through the early 20th Century. Waverly was annexed to Baltimore City in 1888.

CONFORMITY TO PLANS

The proposed action is consistent with these objectives of the Waverly Business Area Urban Renewal Plan: a. establishing a positive and identifiable image for the Waverly Business Area; and, c. promoting new retail business activity in the area. To the extent that bail bond agencies are not retail businesses, allowing them to occupy commercial spaces more appropriately intended for retail activity is inconsistent with the Plan Objectives expressed in the Urban Renewal Plan, as cited in (c) above. The attractiveness of the business area, an overarching goal of the Plan, is directly linked to establishing a positive and identifiable image for the business area, as cited in (a) above. To the extent that bail bond agencies do not reinforce a positive and identifiable image for a business area, allowing them within the Waverly Business Area Urban Renewal Plan area is inconsistent with the Plan Objectives.

ANALYSIS

The proposed technical corrections to subsection B.2.a.(1) of the Waverly Business District Urban Renewal Plan are similar to technical corrections and language up-dates made to other urban renewal plans in recent years. These changes would have no practical effect on the operation of this particular urban renewal plan.

The proposed prohibition of bail bond agencies would act to proscribe within the Waverly Business Area only a specific subcategory of use now considered part of the Zoning Code's use category "offices: business, governmental, and professional – but not including sales and bulk storage of merchandise on the premises" found in sections 5-201 (O-R District, Permitted Uses), 6-206 (B-1 Neighborhood Business District), 6-306 (B-2 Community Business District), 6-406 (B-3 Community Commercial District), 6-506 (B-4 Central Business District), and 6-606 (B-5 Central Commercial District), where they are permitted as of right; and in sections 7-207

(M-1 Industrial District), 7-307 (M-2 Industrial District), and 7-407 (M-3 Industrial District), where they are allowed as a conditional use upon Zoning Board approval. This change is intended to have the practical effect of excluding bail bond agencies from Office-Residential, Business and Industrial Districts, or portions thereof, contained within the Project Boundary of the Waverly Business Area Urban Renewal Plan. As most of Baltimore's Office-Residential, Business and Industrial Districts areas are located outside the Waverly Business Area, this proscription would not significantly affect availability of sites for possible new locations of bail bond agencies in the City.

Currently there is no definition of "bail bond agencies" proposed in City Council Bill #11-0684, nor is there a definition now in the Zoning Code. Planning staff informally recommended study of how this bill could be strengthened to establish a concise and enforceable definition of what is meant to be excluded from the Waverly Business Area by the bill.

The following community organizations were notified of this meeting: Abell Improvement Association, Better Waverly Community Association, Greater Homewood Community Corporation, Oakenshawe Improvement Association, Waverly Improvement Association, Waverly Main Street, and Waverly Merchants Association. In addition, the Baltimore Development Corporation and Councilmembers Mary Pat Clarke, Robert Curran, and Bill Henry were notified of this meeting.



Thomas J. Stosur
Director