


TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #11-0681 / SALE OF PROPERTY FORMER BEDS OF REISTERSTOWN ROAD, ROGERS AVENUE, GIST AVENUE AND HAYWARD AVENUE		

DATE:

TO

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

May 6, 2011

At its regular meeting of May 5, 2011, the Planning Commission considered City Council Bill #11-0681, 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 certain streets and alleys bounded by Reisterstown Road, Rogers Avenue, Gist Avenue, and Hayward Avenue and no longer needed for public use; 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 #11-0681 and adopted the following resolution; five members being present (five in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #11-0681 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. 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. Barbara Zektick, DOT
 Ms. Elena DiPietro, Law Dept.
 Ms. Karen Randle, Council Services
 Ms. Marcia Collins, DPW
 Mr. Paul Barnes, DGS



Sheila Dixon
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

January 14, 2010

REQUEST: City Council Bill #09-0428/Zoning – Conditional Use Parking, Open Off-Street Area – 5401 Tippet Avenue, 5451 Tippet Avenue, 4033 Lewiston Avenue, and Portions of Rockfield Avenue and Tippet Avenue

For the purpose of repealing Ordinance 65-640 and permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area (including driving test area) on the properties known as 5401 Tippet Avenue, 5451 Tippet Avenue, 4033 Lewiston Avenue, and portions of Rockfield Avenue and Tippet Avenue.

RECOMMENDATION: Approval

STAFF: Natasha Becker

PETITIONER(S): Hilltop Development Associates, LLC

OWNERS: Tippet Avenue, LLC and Mr. Tauqeer Ahmed

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. At the rear of the shopping center along Tippet Avenue are three large residentially-zoned parcels (R-6) which are the subject of the current request. Two are currently undeveloped, while one is developed with a single-family dwelling that will be demolished.

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.

CONFORMITY TO PLANS

City Council Bill #09-0428 is consistent with the goals and objectives of the Park Heights Urban Renewal Plan, as well as the Baltimore City Comprehensive Master Plan, specifically: LIVE Goal 1, Objective 4: Target neighborhood planning to leverage investment.

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.
- Ordinance No. 09-231, approved October 14, 2009, amended the Park Heights Urban Renewal Plan.

BACKGROUND

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.

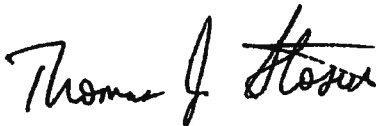
On August 6, 2009, a Planning Commission hearing was held to determine whether the Park Heights Urban Renewal Plan should be amended to add acquisition authority for a number of parcels that were needed to accommodate the footprint of the development plan. That request passed and was since signed into law. With site assembly underway, the development team is now seeking other technical approvals needed to authorize the development plan.

ANALYSIS

City Council Bill #09-0428 seeks to authorize open off-street parking on the properties known as 5401 Tippet Avenue, 5451 Tippet Avenue, 4033 Lewiston Avenue, as well as on portions of Rockfield Avenue and Tippet Avenue. This area is to serve as a non-commercial driver test course and parking for the MVA. Because the properties are zoned R-6, a conditional use ordinance is needed. The request is consistent with the desire for redevelopment of the Hilltop Shopping Center and attraction of a major government service provider to the area. The request also had been anticipated from the outset as a necessary step for redevelopment of the site. It should be noted that 4033 Lewiston Avenue is currently under separate ownership but is under contract for purchase by Tippet Avenue, LLC.

A final technical approval anticipated is the future closure of portions of two streets and several alleys. These include the portions of Rockfield and Tippet Avenues affected by the current conditional use legislation, as well as several unnamed alleys, all appearing on Blocks 4511-D, 4511-E, 4511-F, and 4511-G. Title reports and utility surveys are being conducted, and it is expected that formal requests will be made shortly. The right-of-way areas are to be closed, sold to the development team, and consolidated with adjoining parcels in order to affect full site assembly. Though not yet referred to the Planning Commission for a formal decision, staff is fully aware and supportive of the street closing requests.

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.



Thomas J. Stosur
Director