

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #13-0182 /SALE OF PROPERTIES- FORMER BEDS OF A PORTION OF FREMONT AVENUE AND 2 PORTIONS OF MARTIN LUTHER KING, JR. BOULEVARD

CITY of  
BALTIMORE  
**MEMO**



DATE:

TO

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

March 4, 2013

At its regular meeting of February 28, 2013, the Planning Commission considered City Council Bill #13-0182, for the purpose of authorizing the Mayor and City Council to sell, at either public or private sale, all its interest in certain parcels of land known as the former beds of a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard lying between Fairmount Avenue and Hollins Street 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 agenda, summary and previous staff report which recommended approval of City Council Bill #13-0182 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 #13-0182 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 Chief for Economic and Neighborhood Development  
Mr. Alex Sanchez, Chief of Staff  
Ms. Angela Gibson, Mayor's Office  
The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission  
Mr. David Tanner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Mr. Nicholas Blendy, DHCD  
Ms. Barbara Zektick, DOT  
Ms. Elena DiPietro, Law Dept.  
Ms. Karen Randle, Council Services  
Ms. Marcia Collins, DPW  
Mr. Paul Barnes, DGS



*Stephanie  
Rawlings-Blake  
Mayor*

**PLANNING COMMISSION**  
*Wilbur E. "Bill" Cunningham, Chairman*

**AGENDA**

**February 28, 2013 – #1849**

**Working Session – 12:00 p.m.**  
**Regular Session – 1:30 p.m.**



*Thomas J. Stosur  
Director*

- 1. ROLL CALL**
- 2. APPROVAL OF MINUTES**
- 3. FY 2014-2019 CAPITAL IMPROVEMENT PROGRAM (Citywide)**
- 4. BALTIMORE CITY LANDMARK DESIGNATION/HAVEN STREET FACTORY – 101 NORTH HAVEN STREET (Second District)**
- 5. CITY COUNCIL BILL #12-0173/ BALTIMORE CITY LANDMARK LIST – OLD DOUGLASS HIGH SCHOOL (Councilmembers -Nick Mosby, Sharon Green Middleton, Bill Henry, Warren Branch, Brandon M. Scott, Rochelle 'Rikki' Spector, William "Pete" Wcelch, President Young)**  
For the purpose of designating Old Douglass High School, 1645 North Calhoun Street, as a historical landmark. (Seventh District)
- 6. MAJOR SUBDIVISION FINAL PLANS AND FINAL DESIGN APPROVAL/ WYNDHOLME VILLAGE (Eighth District)**

**CONSENT AGENDA**

- 7. CITY COUNCIL BILL #13-0193/ CITY PROPERTY – RENAMING THE COUNCILWOMAN RITA R. CHURCH PAVILION AND RECREATION CENTER TO THE COUNCILWOMAN RITA R. CHURCH COMMUNITY CENTER (Councilmembers -Mary Pat Clarke, Bill Henry, Carl Stokes, Robert W. Curran, James B. Kraft, Helen L. Holton, Sharon Green Middleton, Warren Branch, Brandon M. Scott, Rochelle 'Rikki' Spector, President Young, William "Pete" Welch, Edward L. Reisinger)**  
For the purpose of changing the name of the Councilwoman Rita R. Church Pavilion and Recreation Center, located on the southwest side of Saint Lo Drive between Harford Road and Sinclair Lane in Block 4199, Lot 001, more definitely described as 900 feet, more or less, southeast from the intersection of Saint Lo Drive and Harford Road, to the Councilwoman Rita R. Church Community Center. (Fourteenth District)
- 8. FINAL DESIGN APPROVAL/SINAI HOSPITAL PUD – 2401 BELVEDERE**

**AVENUE – DROP-OFF CANOPY AND FAÇADE IMPROVEMENTS (Sixth District)**

- 9. REVISED FINAL DESIGN APPROVAL/CHESAPEAKE PAPERBOARD PUD – SIGNAGE – OFFICE BUILDING SIGN (Tenth District)**

- 10. MINOR SUBDIVISION (LOT LINE ADJUSTMENT) – FINAL PLANS – 311 & 315 BROXTON ROAD (Fourth District)**

- 11. CITY COUNCIL BILL #13-0177/CITY STREETS – OPENING – CERTAIN STREETS AND ALLEYS OR PORTIONS OF THEM BOUNDED BY NORTH AVENUE, WARWICK AVENUE, BAKER STREET, AND THE CSX TRANSPORTATION INC. RAILROAD RIGHT OF WAY (City Council President - Administration)**

For the purpose of condemning and opening certain streets and alleys or portions of them bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation Inc. Railroad Right of Way, as shown on Plat 298-A-16 in the Office of the Department of General Services; and providing for a special effective date. (Seventh District)

- 12. CITY COUNCIL BILL #13-01178/ CITY STREETS – CLOSING – ALL STREETS AND ALLEYS BOUNDED BY NORTH AVENUE, WARWICK AVENUE, BAKER STREET, AND THE CSX TRANSPORTATION, INC. RAILROAD RIGHT OF WAY (City Council President - Administration)**

For the purpose of condemning and closing all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, as shown on Plat 298-A-16A in the Office of the Department of General Services; and providing for a special effective date. (Seventh District)

- 13. COUNCIL BILL #13-0179/SALE OF PROPERTIES – FORMER BEDS OF CERTAIN STREETS AND ALLEYS OR PORTIONS OF THEM (City Council President - Administration)**

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 or portions of them bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc., Railroad Right of Way and no longer needed for public use; and providing for a special effective date. (Seventh District)

- 14. CITY COUNCIL BILL #13-0180/CITY STREETS – OPENING – A PORTION OF FREMONT AVENUE (City Council President - Administration)**

For the purpose of condemning and opening a portion of Fremont Avenue, extending from Baltimore Street southeasterly 154.0 feet, more or less, as shown on Plat 329-A-23 in the Office of the Department of General Services; and providing for a special effective date. (Eleventh District)

- 15. CITY COUNCIL BILL #13-0181/CITY STREETS – CLOSING – A PORTION OF FREMONT AVENUE AND 2 PORTIONS OF MARTIN LUTHER KING, JR.**

**BOULEVARD (City Council President - Administration)**

For the purpose of condemning and closing a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard, lying between Fairmount Avenue and Hollins Street, as shown on Plat 329-A-23A in the Office of the Department of General Services; and providing for a special effective date. (Eleventh District)

**16. CITY COUNCIL BILL #13-0182/SALE OF PROPERTIES – FORMER BEDS OF A PORTION OF FREMONT AVENUE AND 2 PORTIONS OF MARTIN LUTHER KING, JR. BOULEVARD (City Council President - Administration)**

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 a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard lying between Fairmount Avenue and Hollins Street and no longer needed for public use; and providing for a special effective date. (Eleventh District)

**17. CITY COUNCIL BILL #13-0184/ ACQUISITION OF PROPERTY – 4629 LIBERTY HEIGHTS AVENUE (City Council President - Administration)**

For the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property known as 4629 Liberty Heights Avenue (Ward 28, Section 3, Block 8297, Lot 1), and needed for extinguishment of a restrictive covenant; and providing for a special effective date. (Eighth District)

**18. CITY COUNCIL BILL #13-0183/CITY STREETS – CLOSING – MAINE AVENUE AND A 10-FOOT ALLEY (City Council President - Administration)**

For the purpose of condemning and closing (1) Maine Avenue, extending from Hillsdale Road northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue and (2) a 10-foot alley laid out in the rear of the properties known as 4600 through 4612 Maine Avenue, and extending from Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn Oak Avenue, as shown on Plat 106-B-32A in the Office of the Department of General Services; and providing for a special effective date. (Sixth District)

**19. CIP TRANSFERS**

This agenda was prepared on the assumption that all necessary materials have been made available in sufficient time for consideration by the Commission at this meeting. There are occasionally changes in this agenda when relevant materials have not been delivered to the Department on schedule. **For any item marked (\*\*), please call the Department at 410-396-4488 for the most current information.**



*Stephanie  
Rawlings-Blake  
Mayor*

**PLANNING COMMISSION**

**SUMMARY**

**February 28, 2013**



*Thomas J. Stosur  
Director*

**3. FY 2014 -2019 CAPITAL IMPROVEMENT PROGRAM**

The FY 2014-19 CIP was presented to the Planning Commission on February 14, 2013. The Department of Planning is requesting that the Commission approve the six-year plan with an estimated cost of \$ 5.6 billion. The first year or budget year, FY 2014, becomes the basis for the capital component of the Ordinance of Estimates, adopted by the City Council. Staff is recommending projects with an estimated cost of \$ 1.16 billion for FY 2014.

**Recommendation:** Approval

**4. BALTIMORE CITY LANDMARK DESIGNATION/HAVEN STREET FACTORY – 101 NORTH HAVEN STREET**

On February 12, 2013 the CHAP Commission reviewed and recommended approval for Baltimore City Landmark designation for the Haven Street Factory. Haven Street Factory, a brick industrial building, was constructed in 1903 and 1904 for the Steiner Mantel Company in an industrial section of what was then BaltimoreCounty. It was originally used as a factory for fireplace mantels, wood veneer, and furniture, contributing to Baltimore’s large wood products industry in the early 20th century. In the mid-20th century, the factory contributed to Baltimore’s food processing and shipping as a canning factory, a paper box factory, and later served as a warehouse for Esskay, the meat-packing company. The building’s close proximity to rail, shipping, and truck routes made this a prime location for manufacturing throughout the 20th century. Haven Street Factory’s history reflects the broad patterns in Baltimore’s manufacturing heritage.

Staff has notified of this action, 2<sup>nd</sup> District City Councilman Brandon M. Scott, Baltimore Heritage, Baltimore AIA Chapter, Baltimore City Historical Society, Preservation Maryland, Baltimore-Highland Community Association, Inc., Brewer's Hill Community Association, Eastern Community Action Center, Highlandtown Arts and Entertainment District, Southeast Community Development Corporation, Southeast Presidents' Council, and Southeastern District Police Community Relations Council.

**Recommendation:** Approval

**5. CITY COUNCIL BILL #12-0173/ BALTIMORE CITY LANDMARK LIST – OLD DOUGLASS HIGH SCHOOL (Councilmembers – Nick Mosby, Sharon Green**

Middleton, Bill Henry, Warren Branch, Brandon M. Scott, Rochelle 'Rikki' Spector, William "Pete" Welch, President Young)  
For the purpose of designating Old Douglass High School, 1645 North Calhoun Street, as a historical landmark.

On February 12, 2013, the CHAP Commission reviewed and recommended approval for designation as a Baltimore City Landmark. Old Douglass was the first high school established for African Americans in and the state of Maryland. Originally established as the Colored High School in 1883, this institution is celebrating its 130th anniversary in 2013. This building, designed by Spencer E. Sisco and constructed in 1924, is the oldest existing building for African American education in the City of Baltimore. Its role in the history of Baltimore City as a site of African American education and empowerment is unsurpassed, nurturing many leaders in Civil Rights, law, government, and the arts.

Staff has notified the following of this action: Capital T. Partners, Property Manager for Owner of Record; 1645 North Calhoun Holdings, LLC, 7th District City Councilman Nick Mosby, Frederick Douglass High School Alumni Association, Inc., Baltimore Heritage, Baltimore AIA Chapter, Baltimore City Historical Society, Baltimore National Heritage Area, Preservation Maryland, Sandtown Habitat Homeowners Association, Sandtown-Winchester Improvement Association, Western District Police-Community Relations Council, West Baltimore Coalition, Western Community Action Center, Clergy United to Transform Sandtown (CUTS), Sandtown-Winchester Community Building in Partnership, Sandtown-Winchester Square Homeowners Association, Western Human Services Center and the Woodyear Neighborhood Association.

**Recommendation:** Approval

## **6. MAJOR SUBDIVISION FINAL PLANS AND FINAL DESIGN APPROVAL/ WYNDHOLME VILLAGE**

On June 21, 2012, the Planning Commission approved a minor amendment to the PUD to convert previously approved condominium townhomes into fee-simple townhomes. The development team has requested two more condominium townhome groups (L & M) be converted to thirteen fee-simple townhouse sites (Lots #57 through 69). The homes will use the same "Strauss" model materials palette and elevations presented to the Planning Commission in the June 21, 2012 meeting. There are no proposed changes to the existing street system, the other condominium lots, or forest conservation easements.

The Beechfield Community and Improvement Association has been notified of this project.

### **Recommendations:**

- Major Subdivision Final Plans: Approval
- Final Design Approval: Approval

## CONSENT AGENDA

7. **CITY COUNCIL BILL #13-0193/ CITY PROPERTY – RENAMING THE COUNCILWOMAN RITA R. CHURCH PAVILION AND RECREATION CENTER TO THE COUNCILWOMAN RITA R. CHURCH COMMUNITY CENTER** (Councilmembers -Mary Pat Clarke, Bill Henry, Carl Stokes, Robert W. Curran, James B. Kraft, Helen L. Holton, Sharon Green Middleton, Warren Branch, Brandon M. Scott, Rochelle 'Rikki' Spector, President Young, William "Pete" Welch, Edward L. Reisinger)

For the purpose of changing the name of the Councilwoman Rita R. Church Pavilion and Recreation Center, located on the southwest side of Saint Lo Drive between Harford Road and Sinclair Lane in Block 4199, Lot 001, more definitely described as 900 feet, more or less, southeast from the intersection of Saint Lo Drive and Harford Road, to the Councilwoman Rita R. Church Community Center.

The Planning Commission approved City Council Bill # 09-0312 on May 9, 2009 to name the Pavilion in Clifton Park as the Councilwoman Rita R. Church Pavilion and Recreation Center. Mrs. Church was a member of the Baltimore City Council from 1994-1999. She served as a member of the Planning Commission from 2002-2006. This request is consistent with the previous Planning Commission action, and staff remains in full support.

**Recommendation:** Approval

8. **FINAL DESIGN APPROVAL/SINAI HOSPITAL PUD – 2401 BELVEDERE AVENUE – DROP-OFF CANOPY AND FAÇADE IMPROVEMENTS**

Sinai Hospital proposes to update the façade of portions of the General Hospital and the Blaustein wing, to materials used in recent hospital additions such as the South Tower and the Children's Hospital addition. A new projecting canopy will be built to provide better cover for patron drop-off at the main entrance. Signage will be updated and augmented on these same elevations.

**Recommendation:** Approval

9. **REVISED FINAL DESIGN APPROVAL/CHESAPEAKE PAPERBOARD PUD – SIGNAGE – OFFICE BUILDING SIGN**

On February 21, 2008 the Planning Commission approved the tenant signage package for the Chesapeake Paperboard PUD. Approved within that package was a major tenant sign on the office building. The current proposal modifies the originally approved plan by placing the sign just below the fourth floor windows rather than the fifth floor windows

and proposes a large, single graphic sign versus individual letters. These minor changes have been reviewed and approved by staff. No additional tenant signage will be permitted within this façade of the building.

**Recommendation:** Approval

**10. MINOR SUBDIVISION (LOT LINE ADJUSTMENT) FINAL PLANS – 311 & 315 BROXTON ROAD**

These adjoining properties are in the northeastern portion of the Homeland neighborhood. Each is improved with a single-family detached home. The purpose of this minor subdivision is to enable transfer of an approximately 15 feet wide strip of land from the lot known as 315 Broxton Road to the lot known as 311 Broxton Road. The area to be conveyed would amount to approximately 1,978 square feet or 0.045 acre. There is no new development associated with this minor subdivision (lot line adjustment), but it would allow a one-story side porch to be added to the structure at 311 Broxton Road. The applicant has notified concerned community groups and adjacent property owners in accordance with subdivision regulations, and no objections have been received. Final Plans have been submitted that address all agency comments.

**Recommendation:** Approval

**11. CITY COUNCIL BILL #13-0177/CITY STREETS - OPENING - CERTAIN STREETS AND ALLEYS OR PORTIONS OF THEM BOUNDED BY NORTH AVENUE, WARWICK AVENUE, BAKER STREET, AND THE CSX TRANSPORTATION INC. RAILROAD RIGHT OF WAY (City Council President - Administration)**

For the purpose of condemning and opening certain streets and alleys or portions of them bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation Inc. Railroad Right of Way, as shown on Plat 298-A-16 in the Office of the Department of General Services; and providing for a special effective date.

Planning Commission considered this street closing at their June 21, 2012 hearing for closing all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, as shown on Plat 298-A-16A. These street and alley closings will allow Coppin State University to construct its proposed Science and Technology Center (STC). This project is part of the University's broader Facilities Master Plan.

All adjacent property owners have consented to the closing. Thus these rights-of-way areas are not needed for public purposes and can be declared surplus or excess right-of-way.

**Recommendation:** Approval



**12. CITY COUNCIL BILL #13-01178/ CITY STREETS - CLOSING - ALL STREETS AND ALLEYS BOUNDED BY NORTH AVENUE, WARWICK AVENUE, BAKER STREET, AND THE CSX TRANSPORTATION, INC. RAILROAD RIGHT OF WAY (City Council President - Administration)**

For the purpose of condemning and closing all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, as shown on Plat 298-A-16A in the Office of the Department of General Services; and providing for a special effective date.

Planning Commission considered this street closing at their June 21, 2012 hearing to close all streets and alleys bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc. Railroad Right of Way, as shown on Plat 298-A-16A. These street and alley closings will allow Coppin State University to construct its proposed Science and Technology Center (STC). This project is part of the University's broader Facilities Master Plan.

All adjacent property owners have consented to the closing. Thus these rights-of-way areas are not needed for public purposes and can be declared surplus or excess right-of-way. 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. COUNCIL BILL #13-0179/SALE OF PROPERTIES - FORMER BEDS OF CERTAIN STREETS AND ALLEYS OR PORTIONS OF THEM (City Council President - Administration)**

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 or portions of them bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc., Railroad Right of Way and no longer needed for public use; and providing for a special effective date.

Planning Commission considered this street closing at their June 21, 2012 hearing to close certain parcels of land known as the former beds of certain streets and alleys or portions of them bounded by North Avenue, Warwick Avenue, Baker Street, and the CSX Transportation, Inc., Railroad Right of Way. These street and alley closings will allow Coppin State University to construct its proposed Science and Technology Center (STC). This project is part of the University's broader Facilities Master Plan.

These streets are no longer needed for a public purpose. This is the fourth step in a four

step process. This action is consistent with the previous Planning Commission actions, and staff remains in full support.

**Recommendation:** Approval

**14. CITY COUNCIL BILL #13-0180/CITY STREETS - OPENING - A PORTION OF FREMONT AVENUE (City Council President - Administration)**

For the purpose of condemning and opening a portion of Fremont Avenue, extending from Baltimore Street southeasterly 154.0 feet, more or less, as shown on Plat 329-A-23 in the Office of the Department of General Services; and providing for a special effective date.

Planning Commission considered this street closing at their November 17, 2011 hearing to close a portion of Fremont Avenue, extending from Baltimore Street southeasterly 154.0 feet, more or less, as shown on Plat 329-A-23. The proposed street closings areas will become part of the University of Maryland BioPark PUD. The street closings will allow the applicant to consolidate properties and create a 'gateway' to the BioPark.

All adjacent property owners have consented to the closing. Thus these rights-of-way areas are not needed for public purposes and can be declared surplus or excess right-of-way.

**Recommendation:** Approval

**15. CITY COUNCIL BILL #13-0181/CITY STREETS - CLOSING - A PORTION OF FREMONT AVENUE AND 2 PORTIONS OF MARTIN LUTHER KING, JR. BOULEVARD (City Council President - Administration)**

For the purpose of condemning and closing a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard, lying between Fairmount Avenue and Hollins Street, as shown on Plat 329-A-23A in the Office of the Department of General Services; and providing for a special effective date.

Planning Commission considered this street closing at their November 17, 2011 hearing. The proposed street closings areas will become part of the University of Maryland BioPark PUD. The street closings will allow the applicant to consolidate properties and create a 'gateway' to the BioPark.

The request is for the closing a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard, lying between Fairmount Avenue and Hollins Street, as shown on Plat 329-A-23A. This legislation is the third step in a four step process that is required to dispose of surplus right-of-way property. Thus these rights-of-way areas are not needed for public purposes and can be declared surplus or excess right-of-way.

**Recommendation:** Approval

**16. CITY COUNCIL BILL #13-0182/SALE OF PROPERTIES - FORMER BEDS OF A PORTION OF FREMONT AVENUE AND 2 PORTIONS OF MARTIN LUTHER KING, JR. BOULEVARD (City Council President - Administration)**

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 a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard lying between Fairmount Avenue and Hollins Street and no longer needed for public use; and providing for a special effective date.

Planning Commission considered this street closing at their November 17, 2011 hearing. The sale of these street beds will become part of the University of Maryland BioPark PUD. The street closings will allow the applicant to consolidate properties and create a 'gateway' to the BioPark.

This bill authorizes the Mayor and City Council of Baltimore to sell all its interest in certain parcels of land known as the former beds of a portion of Fremont Avenue and 2 portions of Martin Luther King, Jr. Boulevard lying between Fairmount Avenue and Hollins Street. These streets are no longer needed for a public purpose. This is the fourth step in a four step process. This action is consistent with the previous Planning Commission actions, and staff remains in full support.

**Recommendation:** Approval

**17. CITY COUNCIL BILL #13-0184/ ACQUISITION OF PROPERTY - 4629 LIBERTY HEIGHTS AVENUE (City Council President - Administration)**

For the purpose of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property known as 4629 Liberty Heights Avenue (Ward 28, Section 3, Block 8297, Lot 1), and needed for extinguishment of a restrictive covenant; and providing for a special effective date.

Planning Commission considered this street closing at their January 12, 2012 hearing. This action of authorizing the Mayor and City Council of Baltimore to acquire, by purchase or condemnation, the fee simple or other interests in certain property known as 4629 Liberty Heights Avenue (Ward 28, Section 3, Block 8297, Lot 1), and needed for extinguishment of a restrictive covenant.

This property was identified for acquisition in the Howard Park Business Urban Renewal Plan. This Plan is a comprehensive plan for the business corridor which includes potential for large retail use such as a supermarket. This action is consistent with the previous Planning Commission actions, and staff remains in full support

**Recommendation:** Approval

**18. CITY COUNCIL BILL #13-0183/CITY STREETS - CLOSING - MAINE AVENUE AND A 10-FOOT ALLEY (City Council President - Administration)**

For the purpose of condemning and closing (1) Maine Avenue, extending from Hillsdale Road northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue and (2) a 10-foot alley laid out in the rear of the properties known as 4600 through 4612 Maine Avenue, and extending from Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn Oak Avenue, as shown on Plat 106-B-32A in the Office of the Department of General Services; and providing for a special effective date.

Planning Commission considered this street closing at their January 12, 2012 hearing for condemning and closing (1) Maine Avenue, extending from Hillsdale Road northwesterly 236.0 feet, more or less, to Gwynn Oak Avenue and (2) a 10-foot alley laid out in the rear of the properties known as 4600 through 4612 Maine Avenue, and extending from Hillsdale Road northwesterly 195.7 feet, more or less, to Gwynn Oak Avenue, as shown on Plat 106-B-32A. This legislation is the third step in a four step process that is required to dispose of surplus right-of-way property. Thus these rights-of-way areas are not needed for public purposes and can be declared surplus or excess right-of-way.

**Recommendation:** Approval

**19. CIP TRANSFERS**



*Stephanie Rawlings-Blake  
Mayor*

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*



*Thomas J. Stosur  
Director*

### STAFF REPORT

**November 17, 2011**

**REQUEST:** Street Closings/ Two Martin Luther King Boulevard R-O-W Parcels and a Portion of Fairmount Avenue

**RECOMMENDATION:** Approval, with the understanding that portions of the two MLK R-O-W parcels may need to be reserved for City utility and/or MTA easements that may be needed for the proposed Red Line Light Rail System.

**STAFF:** Kenneth Hranicky

**PETITIONER:** State of Maryland and BioPark Fayette, LLC.

**OWNERS:** Mayor and City Council of Baltimore, under the Department of Transportation's jurisdiction.

#### **SITE/ GENERAL AREA**

**Site Conditions:** The three areas of right-of-way are located along the western edge of the boundaries of the University of Maryland BioPark PUD. The portion of West Fairmount Avenue area to be closed is located west of Martin Luther King Boulevard and is approximately 140 x 26 feet in area. The two portions of Martin Luther King R-O-W are north and south of West Baltimore Street, west of MLK Boulevard. The parcel north of Baltimore Street is irregular in shape and is approximately 16,300 sf. in size and is zoned B-2-3. The parcel south of Baltimore Street is triangular in shape and is approximately 6,000 sf. in size and is zoned B-2-3. Both parcels are currently being used as landscape/open space areas in connection with the MLK Boulevard.

**General Area:** The site is located in West Baltimore, just to the west of Downtown and the University of Maryland Baltimore Campus. The area is in the middle of revitalization effort of the University of Maryland BioPark PUD and will be characterized by lab and residential buildings with other mixed uses.

#### **HISTORY:**

- Ordinance #75-837, approved on March 31, 1975, established the Poppleton Urban Renewal Plan.
- In 1995 the City of Baltimore was awarded a Federal Empowerment Zone designation, which included the Poppleton Urban Renewal Area.
- Ordinance #03-605, approved October 6, 2003 amended the Poppleton Urban Renewal Plan.
- Ordinance #03-163, approved October 28, 2003 established the original University of Maryland at Baltimore Biomedical Research Park-PUD.
- On October 9, 2003, the Planning Commission gave Final Design Approval for Phase I, the first building in the PUD

- On September 30, 2004, the Planning Commission gave Final Subdivision and Development Plan approval and Final Design Approval for the University of Maryland Garage
- Ordinance #07-416, approved on April 19, 2007, was Amendment 11 to the Poppleton Urban Renewal Plan
- On June 2, 2011, the Planning Commission recommended approval of multiple Street Closing actions that are related to this specific project site.
- Ordinance # 11-476, approved on July 20, 2011, rezoned the properties known as 811, 821, 85, 831 and 833 West Fayette Street from the R-9 Zoning District to the B-2-3 Zoning District.
- Ordinance # 11-477, approved July 20, 2011, repealed the original University of Maryland BioPark PUD and established a larger and more updated PUD.
- On October 20, 2011, the Planning Commission approved a Minor Amendment and Final Design Approval for Parcel "E".

### **CONFORMITY TO PLANS**

This action supports the continued development of the University of Maryland Baltimore BioPark initiative. It complies with the goals and objectives of the Poppleton Urban Renewal Plan, specifically *Goal D - To provide for the targeted development of high-tech, medical and science research-related land uses*. Relative to the City of Baltimore Comprehensive Master Plan, these actions support EARN Goal 1 Strengthen Identified Growth Sectors, Objective 2 Retain and Attract Business in Bioscience.

### **ANALYSIS**

The proposed street closings areas will become part of the University of Maryland BioPark PUD. The street closings will allow the applicant to consolidate properties and create a 'gateway' to the BioPark. The northern parcel is an approved development site for the BioPark in the PUD. The southern parcel is being considered for an enhanced landscape area/ gateway to the BioPark. The portion of Fairmount Avenue is being considered as part of a larger development site for the BioPark.

It is staff's finding that the aforementioned portion of Fairmount Avenue and the two MLK Boulevard R-O-W parcels are not needed to provide access to adjacent properties. Thus, the subject parcels are no longer needed for roadway purposes and can be closed; the right-of-ways declared surplus property and sold subject final approval by the Federal Highway Administration, as the land was purchased with federal funds. However, this recommendation is being made with the understanding that portions of the two MLK Boulevard R-O-W parcels will be reserved for City utility and/or MTA easements that may be needed for the proposed Red Line Light Rail System. The exact nature of any required public easement areas will be determined via negotiations with the petitioner as more detailed planning takes place.

The following community organizations were notified of this meeting: Central Police-Community Relations Council, Concerned Citizens of Poppleton, Inc., Poppleton Cooperative, Inc., Southwest Sanitation Task Force, Sowebo Merchants Association, Western District Police-Community Relations Council, Western Human Services Center, Mercy Southwest Alliance, Westside Renaissance, Inc., and Communities Organized to Improve Life.



**Thomas J. Stosur**  
**Director**