


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>Done / for T.J.S.</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #09-0427/PLANNED UNIT DEVELOPMENT- DESIGNATION- WYLIE FUNERAL HOME		

TO

DATE:

January 19, 2010

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

At its regular meeting of January 14, 2010 the Planning Commission considered City Council Bill #09-0427 for the purpose of approving the application of the Mayor and City Council of Baltimore and Wylie Funeral Homes, P.A., which are either the owner, potential owner, developer, and/or contract purchaser of the following properties: 1602, 1604, 1606 ½, 1608, 1610, 1612, 1614, 1616, 1618, 1622, 1624, and 1626 Harlem Avenue; 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, and 725 North Mount Street; and 634, 636, and 638 North Gilmore Street (collectively, the "Property"), to have the Property designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #09-0427 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 #09-0427 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/WA/ttl

Attachments

cc:

- Mr. Andy Frank, Deputy Mayor
- Mr. Demuane Millard, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Mr. Geoffrey Veale, Zoning Enforcement
- Mr. David Tanner, BMZA
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Larry Greene, Council Services
- Mr. Stanley Fine, Attorney for the applicant



Sheila Dixon
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

January 14, 2010

REQUESTS:

- City Council Bill #09-0426 / Urban Renewal – Harlem Park Project II –Amendment
- City Council Bill #09-0427 / Planned Unit Development – Designation – Wylie Funeral Home

RECOMMENDATIONS:

- City Council Bill #09-0426 / Urban Renewal – Harlem Park Project II –Amendment:
Approval
- City Council Bill #09-0427 / Planned Unit Development – Designation – Wylie Funeral Home: Approval

STAFF: Melvin Hicks

PETITIONER(S): Wylie Funeral Home, P.A.

OWNER: Mayor & City Council

SITE/GENERAL AREA

Site Conditions: The subject project site consists of twenty nine parcels that total 95,151 square feet or 2.18 acres. This site includes the properties known as 634 - 638 North Gilmore Street, the 1600 block of Harlem Avenue (even side), and the 700 block of North Mount Street (odd side). The underlying zoning for the twenty nine parcels is R-8. Currently 634 - 638 North Gilmore Street is improved with three row homes that have been converted into a funeral home owned and operated by Wylie Funeral Home. The remaining 26 parcels are City-owned or are in the process of becoming city-owned and are unimproved and are being used for illegal dumping. At one point rowhomes existed on these lots, but they have since been demolished. Currently, the site is primarily grassed with man made and paved walking paths. There are several trees on the site; however, they are not in good health.

General Area: The subject project site is located in the Harlem Park neighborhood in west Baltimore. The site is also within the boundary of the Harlem Park Project II Urban Renewal Area. The existing funeral home is located on the corner of Gilmore Street and Harlem Avenue. The site is bounded by the rear of row homes that front onto Lanvale Street to the north, Harlem Avenue to the south, the rear of row homes that front onto Gilmore Street to the east and, Mount Street to the west. East of the project site is Harlem Park Middle School.

HISTORY

- City Council Ordinance #60-717, approved July 6, 1960, established the Harlem Park Project II Urban Renewal Plan. There have been 5 amendments. Amendment No. 5, dated December 20, 2000, was approved by the Mayor and City Council of Baltimore by Ordinance No. 00-109.

CONFORMITY TO PLANS

This proposed PUD is consistent with the Comprehensive Master Plan's Live Section, Goal 1, Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

ANALYSIS

Background Information

The Department of Housing and Community Development (DHCD) has been interested in the redevelopment of the subject project site for a long time. The applicant, Wylie Funeral Home, submitted a mixed-use development proposal that involved constructing a new and expanded funeral home, residential/office development. The DHCD accepted this proposal and granted the applicant with an Exclusive Negotiating Priority Agreement on October 30, 2009. The Wylie Funeral Home development proposal includes the following:

- The applicant, Wylie Funeral Home, plans to purchase from the City 26 city-owned properties.
- The properties will be consolidated and a new 9,407 square foot one story funeral home structure will be constructed. The new facility will consist of four reposing rooms, preparation rooms, arrangement rooms, and a 250 seat chapel.
- Also there will be an attached 5 car parking garage for the funeral home cars and a 77 space surface parking lot.

Additionally, DHCD committed to facilitating the rehabilitation of the surrounding row houses that front onto Lanvale and Gilmore Streets. The thinking is that the Wylie new development project would stimulate the rehabilitation of the surrounding housing and thus help stabilize the neighborhood.

In order to accomplish the Wylie proposal, two essential pieces of legislation are needed. One entails an amendment to the Harlem Park Project II Urban Renewal Plan. This is needed because the proposed use of the subject project site in the URP is residential (R-8). The land use category has to be changed to accommodate the commercial use of the funeral home. The second required legislation is to designate the project site a residential PUD that allows the funeral home development project.

CCB #09-0426/Urban Renewal-Harlem Park Project II-Amendment

City Council Bill #09-0426 proposes to amend the Harlem Park Project II URP in the following manner:

- It revises certain exhibits to reflect changes in the plan, Exhibit 2 "Land Use Plan".
- To provide language that in the event of conflict between the renewal plan and the PUD, that the PUD controls.
- Amends in additional permitted use in the area designated as commercial and allows for undertaking establishments and funeral parlors.

- Amends to restrict residential uses listed in the R-8 and General Residence and O-R-2 Office Residence Districts.

These proposed amendments to the URP are necessary to permit the development of the expanded Wylie Funeral Home project.

CCB #09-0427/Planned Unit Development-Designation-Wylie Funeral Home

CCB #09-0427 proposes to designate the project site as a Residential Planned Unit Development to permit the development of the expanded Wylie Funeral Home project. The proposed legislation establishes the PUD and the following uses within the PUD:

- All permitted, accessory, and conditional uses as allowed in the R-8 Zoning District.
- Undertaking and funeral parlors; and
- Offices: business, government, and professional.

The proposed PUD is the required companion legislation that is also needed to permit the development of the expanded Wylie Funeral Home project.

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

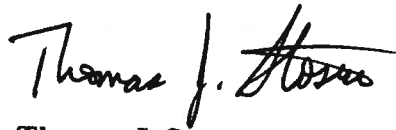
- Site Plan: The proposed development plan shows the proposed 9,407 square foot funeral home with an attached 5 car garage. The applicant is providing 82 parking spaces in which 4 are handicap accessible, 5 will be provided in the garage, and 73 will meet the City parking requirements. Site access will be achieved by three ingress and egress points. There will be two 20 foot wide curb cuts on North Mount Street and one 24 foot wide curb cut on Harlem Avenue to adequately allow for funeral's vehicular processions. Twenty foot wide drive aisles will be standard throughout the site. This width provides for adequate two way vehicular circulation. A drop off loop road will be provided in the rear of the building. There will be a 5 foot pedestrian sidewalk along the eastern most portion of the building that will allow pedestrians to walk from the parking area to the entrance fronting onto Harlem Avenue. The entire site will be fenced for security measures. The applicant will be providing a 42" high decorative fence on the North Mount Street and Harlem Avenue perimeter. The electronically controlled fenced will have two accesses on North Mount Street and one on Harlem Avenue for the respective ingress and egress points. There will be a 6 foot high board on board fence along the northern and eastern boundary of the site to protect the vehicular headlights from shining into the rear of residential properties. The dumpster will be located in the northeast corner of the site and it will be masonry enclosed on a concrete pad with board on board fencing. There is an existing sanitary sewer that runs through the site. This sewer line needs to be realigned in places to shorten its course and as well as to avoid the proposed building. Access easements will be required in the case the sewer line needs to be repaired or serviced. The site plan was reviewed on June 24, 2009 and approved by the Site Plan Review Committee on July 15, 2009.
- Zoning: The proposal meets the density and floor area ratio (FAR) regulations for R-8 zoning category. The development proposal will utilize 1.737 acres \pm out of the PUD 2.18 acres. The allowable floor area ratio for the R-8 is subject to a maximum floor area ratio of 2.0. There will be approximately 95,151 square feet in R-8. Based on the ratio of 2.0, the total floor area can not exceed 190,302 square feet. The proposed 1 story funeral home will be 9,407 square feet (0.29 allowable), which places it well under the allowable F.A.R.

According to the development proposal, this development will meet the City of Baltimore's bulk regulations.

The applicant is also meeting and exceeding the parking requirements of the City of Baltimore. The zoning code requires the funeral home to provide 6 spaces for each reposing room. The facility will have 4 reposing rooms that require them to provide 24 spaces. One space needs to be provided for each vehicle maintain on the site. Wylie Funeral home will have 5 cars that will remain on site that will be accommodated in the proposed 5 car garage. This yields 73 parking spaces which exceeds the requirements for funeral home operations.

- Landscape/Forest Conservation Plan: The applicant has completed the Forest Stand Delineation Plan for the project site. Additionally, the applicant has prepared and submitted its Forest Conservation Plan for the proposed project. There will be approximately 67,400 square feet of landscaped area provided. In order to meet the City's Forest Conservation requirements, the applicant is required to plant 23 trees. The developer's landscape plan exceeded the required amount by nineteen trees. The planting plan calls for (9) 2- 2.5" caliper Greenspire Linden trees, (7) 2- 2.5" caliper Village Green Zelkova trees, (16) 5- 6' Norway Spruce trees and (10) 24"- 30" Crimson Barberry bush. Along the eastern edge of the site, there will be 5 existing trees that will remain. The proposed landscape and forest conservation plans were submitted and these plans were reviewed and approved by staff.

Staff notified Harlem Park Neighborhood Council, Inc., Western District Police-Community Relations Council, St. James Development Corporation, and the City Council Representative of this action.



Thomas J. Stosur
Director