

<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 #15-0516/ CITY STREETS – CLOSING – AIR RIGHTS OVER A PORTION OF A 10-FOOT ALLEY IN THE REAR OF 435-439 EAST LAFAYETTE STREET

CITY of  
BALTIMORE  
**MEMO**



DATE: May 7, 2015

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

At its regular meeting of May 7, 2015, the Planning Commission considered City Council Bill #15-0516 the purpose of condemning and closing air rights over a portion of a 10-foot alley in the rear of 435-439 East Lafayette Avenue, extending westerly 56 feet, more or less, from Greenmount Avenue, as shown on Plat 202-A-61A in the Office of the Department of General Services; 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 #15-0516 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 #15-0516 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. Kaliope Parthemos, Chief of Staff  
 Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development  
 Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development  
 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  
 Ms. Sharon Daboin, DHCD  
 Ms. Barbara Zektick, DOT  
 Ms. Natawna Austin, Council Services  
 Ms. Elena DiPietro, Law Dept.  
 Ms. Marcia Collins, DPW  
 Mr. David Framm, DGS  
 Ms. Melissa Krafchik, PABC



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

November 20, 2014

**REQUEST:** Street Closing/Alleys in the 1700 Blocks of Greenmount Avenue and Barclay Street – City Arts II

**RECOMMENDATION:** Approval

**STAFF:** Alexandra Hoffman

**PLANNING DISTRICT:** Central

**COMPREHENSIVE PLANNER:** Heather Martin

**PETITIONER:** The Administration  
(On behalf of the Department of Housing and Community Development)

**OWNER(S):** Mayor and City Council

#### **SITE AREA**

**Site Conditions:** The subject portions of Right-of-Way are two alleys and the air rights over a third alley in the 1700 blocks of Greenmount Avenue and Barclay Street.

**General Conditions:** The subject portions of Right-of-Way are located in the Greenmount West neighborhood, between North Avenue to the north and the Jones Falls Expressway to the south, directly across from the historic Green Mount Cemetery to the east.

#### **ANALYSIS**

This proposed street closing would impact two alleys and the air rights over a third alley in the 1700 blocks of Greenmount Avenue and Barclay Street (see Figure 1: Block Plat, attached). The air rights over the portion of the 12-foot alley that intersects with Greenmount Avenue proposed for closure will begin at elevation 112 feet above sea level such that 17 feet will remain clear for vehicular access and utility maintenance. The Petitioner, the Department of Housing and Community Development, owns all of the properties adjacent to the subject portions Right-of-Way and is consolidating the properties for redevelopment. Brentwood Street, which bisects the redevelopment site, will remain open.

A utility investigation has been completed and the developer at their sole cost and expense will relocate or abandon the City-owned utilities.

It is staff's finding that the subject portions of Right-of-Way are not needed to provide access to adjacent properties since all of the properties are City-owned. Thus, the Right-of-Way is no longer needed for a public purpose and can be closed, declared surplus property and sold.

The Petitioner, the Department of Housing and Community Development, is consolidating the properties for redevelopment. The Department of Housing and Community Development has awarded the site through a Request for Proposal process to a development team that includes Homes for America, The Reinvestment Fund (TRF) and Jubilee Baltimore. The development team successfully completed an apartment building for artist housing and several for-sale townhouses in the 1500 block of Greenmount Avenue called City Arts. The development team is marketing this project as a second phase of City Arts, to be known as City Arts II.

City Arts II will include a 60-unit apartment building along Greenmount Avenue with a sally port below where the air rights are proposed to be closed, retaining 17 feet clear for vehicular access and utility maintenance. Five for-sale townhouses are proposed to face the new open space along Barclay Street. The development team has worked closely with the community on the design of the open space.

#### **CONFORMITY TO PLANS**

Comprehensive Master Plan: This proposed street closing is compatible with the Comprehensive Master Plan for Baltimore City, specifically:

#### **LIVE**

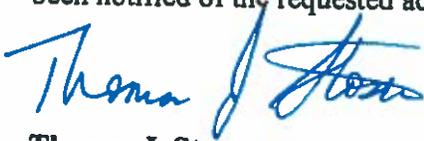
- Goal 1: Build Human and Social Capital by Strengthening Neighborhoods
- Objective 2: Strategically Redevelop Vacant Properties throughout the City

Greenmount West Master Plan: This proposed street closing is compatible with the Greenmount West Master Plan adopted by the Planning Commission on January 13, 2011. Specifically, the Master Plan recommended the consolidation of City-owned lots on the 1700 blocks of Greenmount Avenue and Barclay Street for a redevelopment of the site including an apartment building along the Greenmount Avenue frontage and a group of townhouses on Barclay Street that front a new open space along the street, consistent with the development team's proposal.

Greenmount Urban Renewal Plan: The subject portions of Right-of-Way are located within the Greenmount West Urban Renewal Plan which does not further restrict the proposed action.

#### **COMMUNITY NOTIFICATION**

The New Greenmount West Community Association and the Central Baltimore Partnership have been notified of the requested action.



**Thomas J. Stosur**  
Director

Figure 1: Block Plat

