



Stephanie Rawlings-Blake  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman



Thomas J. Stosur  
Director

### SUMMARY

September 2, 2010

#### **3. CITY COUNCIL BILL #10-0588/BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SCHOOL SYSTEM REVENUE BONDS**

The American Recovery and Reinvestment Act (ARRA) of 2009 authorized \$22 Billion of bonding capacity for school districts nationwide. They are called Qualified School Construction Bonds (QSCB). A large portion of the bonding authority was allocated to the top 100, Title I, Local Educational Authorities (LEAs), including Baltimore City. These bonds are tax credit bond for which only the principal must be repaid to the bond holders. Baltimore City was initially awarded \$116.2 Million in QSCB authority over two years. This was reduced to \$111 Million. They must be paid over 15 years. The bonds must be issued in the calendar year that they are received or they will revert to the State.

#### **4. FINAL SUBDIVISION AND DEVELOPMENT PLAN/700-726 SOUTH ANN STREET – MERCHANT POINT**

The applicant, Unionbox Company, propose to subdivide the 1.33 acre parcel into 22 lots in order to construct 19 new town homes, retains the existing historic house, the Four Bay House, the existing school, New Century School, and the existing vacant church to be re-used in the future.

Fells Point Community Organization, Fells Point Main Street, Fells Point Task Force, Fell's Point Residents Association, Greenspace Action Partnership (GAP), Preservation Society, and The Baltimore Development Corporation were been notified about this action.

**Recommendation:** Approval, subject to:

- Comments from the Department of General Services; and
- Compliance with the City's Forest Conservation Requirements.

#### **5. CLOSING AIR-RIGHTS OF MADISON STREET AND FORREST STREET**

The proposed air rights closings are located along the 700 block of Forrest Street and the 500 block of E. Madison Street. The Department of Public Safety and Correctional Services (DPSCS), State of Maryland plans to construct a 180-bed new Youth Detention Center (YDC) facility in Baltimore City for housing juvenile detainees charged as adults. The projecting bays are 39'-4" wide and extend 4'-8" from the building face. Only the 4th level recreation areas facing Forrest Street project over public space, as the Graves Street service area is state property. Because of the slope of the site, the projections along Forrest Street range from approximately 23'-6" to 28' above the public sidewalk. At the northeast corner of the building, the 3rd level projects over the Madison Street sidewalk,

just west of the intersection with Forrest Street. This triangular projection over the public space allows the building to turn the corner at the upper levels in a 90-degree angle, accommodating the regular geometry of the housing units on the trapezoidal site. The maximum projection of the triangle is approximately 9' from the face of the building. The projection along Madison Street varies from 23'-6" to 25'-6" above the public sidewalk. It is staff's opinion that the specific air rights portion of Forrest Street and Madison Street can be closed without adversely affecting the surface use of either street. Therefore, it can be closed, declared surplus right-of-way, and be disposed of.

Staff notified Jonestown Planning Council, Inc., East Baltimore Community Corporation, Inc., and Change4Real of this Planning Commission action.

**Recommendation:** Approval, subject to the requirements of the Department of Public Works

#### **6. CITY COUNCIL BILL #10-0522/ REQUIRED PARKING FOR BICYCLES**

This bill seeks to create a requirement for bicycle parking spaces in the Zoning Code, and specifies how they are to be provided. Definitions are added to separate vehicle parking spaces and bicycle parking spaces. The size of bicycle parking spaces is determined, as well as other requirements for design and access to the bicycle parking spaces. Bicycle parking spaces will be required at a rate of one per ten vehicle parking spaces. An offset is provided that will reduce the number of vehicles parking spaces on a one-for-one basis for each bicycle parking space that is required.

Staff recommends three amendments. First, altering the proposed vehicles parking space offset from a one-for-one reduction to an area-for-area reduction. Based on the new dimensions for bicycle parking spaces, eight of them would occupy almost the same area as one vehicle parking space (normally 9' by 20'). For that reason, an offset of one vehicle parking space for each eight bicycle parking spaces would seem appropriate. Second, for large projects that require more than 500 vehicle parking spaces, a stepped requirement would also seem appropriate. Staff proposes that after the first fifty bicycle parking spaces are provided (to accompany the 500 vehicle parking spaces), additional bicycle parking spaces are only required at a rate of one-half of a bicycle parking space per ten vehicles parking spaces required. Lastly, staff recommends that clarifying language be added to §10-302 to allow bicycle parking spaces in public rights-of-way, as the City may allow, within 100' of the property boundaries by-right. An amendment to §3-209(c) is also needed to add a listing for bicycle parking spaces that are to be permitted in all three categories of required yards. Staff would defer to the Law Department and the Department of Legislative Reference for the form of such language.

**Recommendation:** Amend and Approve

**7. CITY COUNCIL BILL#10-0529/ CITY PROPERTY – NAMING THE FIRE STATION, LOCATED AT 5714 EASTERN AVENUE, THE KONSTANTINE PREVAS FIRE STATION**

This bill would name the Baltimore City Fire Department E-124 T-20, located at 5714 Eastern Avenue, to be the Konstantine Prevas Fire Station. Mr. Prevas served on Baltimore City's Board of Fire Commissioners and his deciding vote was instrumental in bringing down the barriers of discrimination within the Baltimore City Fire Department. Reverend Marion Bascom (the first black Fire Board Commissioner) gives Mr. Prevas sole credit for his historic vote to eliminate discrimination within Baltimore City Fire Department firehouses. Mr. Prevas does not see his vote as something of significance but more of something that needed to be done.

Therefore, the Department of Planning and The African American Fire Fighters Historical Society sees naming the firehouse, located at 5714 Eastern Avenue, the Konstantine Prevas Fire Station a fitting tribute to honor Mr. Prevas. His historical vote has promoted a healthier work environment for all fire fighters within Baltimore City

Staff notified The Greater Greektown Neighborhood Alliance, Greektown Community Development Corporation - (GCDC), The African American Fire Fighters Historical Society, Marion Bascom, the Fire Department Officials, and City Council Representative of this action.

**Recommendation:** Approval

**8. CITY COUNCIL BILL #10-0585/SALE OF PROPERTY – 1536 NORTH CAROLINE STREET**

This bill would authorize the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property that is located at 1536 North Caroline Street (Block 1125, Lot 032) and is no longer needed for public use; and provide for a special effective date.

The 1536 North Caroline Street is improved with a three-story row building zoned R-8, and is located in the Oliver Neighborhood Development Program Urban Renewal Plan area and the Old East Baltimore National Register Historic District. The building is currently vacant, and this property was transferred by the Housing Authority of Baltimore City to the Mayor and City Council (Department of Housing and Community Development) on February 23, 2007. The Department of Housing and Community Development would like to sell this property so that it can be rehabilitated and used for decent, safe, and sanitary housing. It is staff's findings that this property is not needed by the City of Baltimore for a public facility and can be disposed of for redevelopment purposes.

Staff notified the Oliver Community Association, Inc., the Oliver Economic Development Corporation, Historic East Baltimore Community Action Coalition (HEBCAC), East Baltimore Community Corporation, Inc., Adjacent Neighborhood Improvement Association, Inc., and City Councilman Carl Stokes of this action.

**Recommendation:** Amend and Approve

**9. CITY COUNCIL BILL #10-0592/ URBAN RENEWAL – OLDTOWN – AMENDMENT**

This bill would amend the Urban Renewal Plan for Oldtown to allow a conditional use, a pawnshop, upon approval by separate ordinance (City Council Bill #10-0487, below), on the property known as 533/535 Oldtown Mall. The petitioner wishes to add 537 Oldtown Mall to the nonconforming use authorization contained in the bill.

**CITY COUNCIL BILL #10-0487/ZONING – CONDITIONAL USE PAWNSHOP – 533/535 OLDTOWN MALL**

This bill would permit, subject to certain conditions, the establishment, maintenance, and operation of a pawnshop on the property known as 533/535 Oldtown Mall, in accordance with the Zoning Code requirement that pawnshops be authorized by ordinance. The petitioner wishes to add 537 Oldtown Mall to the conditional use authorization contained in the bill.

These are companion bills required to permit the relocation of an existing business from its present location at 529 Oldtown Mall, where it is a tenant of that property, to 533-537 Oldtown Mall, two doors northward, where it could become a commercial owner-occupant of a larger building. The owner of both 533/535 Oldtown Mall and 537 Oldtown Mall will consolidate these two properties in order to meet the requirements for coverage by these bills.

**Recommendations:**

- City Council Bill 10-0592: Amend and Approve
- City Council Bill 10-0487: Amend and Approve

**CONSENT AGENDA**

**10. FINAL DESIGN APPROVAL/BUS SHELTERS PART I -2010**

The Maryland Transit Administration is proposing to replace existing bus shelters along its Howard Street Light Rail corridor beginning in fall 2010. The replacement shelters are the standard cantilever with the open arch roof design, aluminum painted black, and tempered glass. Some of the bus shelters will have panels with advertising. Also, some shelters will have back panels with art work on them. The Planning Commission has previously approved this bus shelter design and this design is currently being used throughout Baltimore City. Where there are presently two shelters at the southbound Howard Street at MLK Boulevard intersection, only one shelter would be replaced; and a

new shelter would be installed near the Baltimore and Howard Streets intersection, leaving the total number of bus shelters unchanged. Planning Department staff has reviewed the design for these bus shelters and recommends approval for their use as the replacement shelters.

**Recommendation:** Approval

**11. CITY COUNCIL BILL #10-0507/CITY PROPERTY – GRANT OF EASEMENT – PORTION OF 2201 WEST COLD SPRING LANE**

For the purpose of authorizing the Mayor and City Council of Baltimore to grant a Perpetual Easement for Municipal Utilities and Services through the parcel of land known as a portion of 2201 West Cold Spring Lane (Block 3357E, Lot 9A), as shown on Plat R.W. 20-36315 and filed in the Office of the Department of General Services; and providing for a special effective date.

On November 5, 2009, the Planning Commission approved the Final Design for the Signage and Lighting package for the Loyola College Athletic Complex PUD located at 2201 West Coldspring Lane. The perpetual easement for municipal utilities and services was identified and approved for the 2201 West Coldspring Lane property.

Thus, legislation is consistent with the previous Planning Commission action, and staff remains in full support.

**Recommendation:** Approval

**12. CITY COUNCIL BILL #10-0579/CITY STREETS – CLOSING – BRUCE STREET AND 2 10-FOOT ALLEYS LYING WITHIN THE PENN NORTH HOUSING AND COMMUNITY DEVELOPMENT PROJECT**

For the purpose of condemning and closing (1) Bruce Street, extending from Clifton Avenue, Southerly and Southeasterly 400.4 feet, more or less, (2) a 10-foot alley located on the west side of Bruce Street, distant 106.0 feet, more or less, southerly from Clifton Avenue, and extending westerly 52.0 feet, more or less, and (3) a 10-foot alley located on the east side of Bruce Street, distant 82.0 feet, more or less, southerly from Clifton Avenue, and extending easterly 35.0 feet, more or less, and lying within the Penn North Housing and Community Development Project, as shown on Plat 264-A-20A in the Office of the Department of General Services; and providing for a special effective date.

On March 18, 2010, the Planning Commission approved, subject to compliance with the Department of General Services' requirements, the closing of Bruce Street, between Clifton Avenue to the north and Retreat Street to the south along with two 10-foot alleys in connection with Maryland Food Bank's proposed warehouse. 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. CITY COUNCIL BILL #10-0580/SALE OF PROPERTY – FORMER BEDS OF BRUCE STREET AND TWO TEN-FOOT ALLEYS LYING WITHIN THE PENN NORTH HOUSING AND COMMUNITY DEVELOPMENT PROJECT**

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 (1) Bruce Street, extending from Clifton Avenue, Southerly and Southeasterly 400.4 feet, more or less, (2) a ten-foot alley located on the west side of Bruce Street, distant 106.0 feet, more or less, southerly from Clifton Avenue, and extending westerly 52.0 feet, more or less, and (3) a ten- foot alley located on the east side of Bruce Street, distant 82.0 feet, more or less, southerly from Clifton Avenue, and extending easterly 35.0 feet, more or less, and lying within the Penn North Housing and Community Development Project and no longer needed for public use; and providing for a special effective date.

On March 18, 2010, the Planning Commission approved, subject to compliance with the Department of General Services' requirements, the closing of Bruce Street, between Clifton Avenue to the north and Retreat Street to the south along with two 10-foot alleys in connection with Maryland Food Bank's proposed warehouse. City Council Bill #10-0580 is the required legislation that will allow the City to dispose of the aforementioned right-of-way, which is no longer needed for public purposes. This legislation is the final step in a four step process that is required to dispose of surplus right-of-way property. This action request is consistent with the previous Planning Commission action, and staff remains in full support.

**Recommendation:** Approval

**14. CITY COUNCIL BILL #10-0581/ CITY STREETS – CLOSING – NEWGATE AVENUE AND VAIL STREET**

For the purpose of condemning and closing (1) Newgate Avenue, extending from New Vail Street, Easterly 1,510.0 feet, more or less, to Vail Street, and (2) Vail Street, extending from Newgate Avenue, Northerly 825.0 feet, more or less, as shown on Plat 217-A-130 in the Office of the Department of General Services; and providing for a special effective date.

On April 1, 2010, the Planning Commission approved the closing a portion of Newgate Street. Also, on April 15, the Planning Commission approved the closing of a portion of Vail Street.

City Council Bill #10-0581 is the required legislation that will allow the City to formally close the aforementioned right-of-ways, which are no longer needed for public purposes. 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

**15. CITY COUNCIL BILL #10-0582/SALE OF PROPERTY – FORMER BEDS OF NEWGATE AVENUE AND VAIL STREET**

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 (1) Newgate Avenue, extending from New Vail Street Easterly 1,150.0 feet, more or less, to Vail Street and (2) Vail Street, extending from Newgate Avenue Northerly 825.0 feet, more or less, and no longer needed for public use; and providing for a special effective date.

On April 1, 2010, the Planning Commission approved, the closing a portion of Newgate Street. Also, on April 15, the Planning Commission approved the closing of a portion of Vail Street.

This legislation is the final step in a four step process that is required to dispose of surplus right-of-way property. This action request is consistent with the previous Planning Commission action, and staff remains in full support.

**Recommendation:** Approval

**16. CITY COUNCIL BILL #10-0584/FRANCHISE – STRUCTURAL PROJECTIONS OVER THE BED OF ASHLAND AVENUE**

For the purpose of granting a franchise to 929 N. Wolfe, LLC, to construct, use, and maintain a private structural projection over a portion of the bed of Ashland Avenue, subject to certain terms, conditions, and reservations; and providing for a special effective date.

On April 15, 2010, members of the Planning Commission granted Final Design Approval to 929 N. Wolfe Street, LLC, developers of a new graduate student high rise within the New East Baltimore Community Planned Unit Development (PUD). Specifically, the plan is to construct a mixed-use residential building with ground floor retail at the northeast corner of Ashland Avenue and North Wolfe Street. The residential component is to serve John Hopkins graduate students and their families. There will be a total of 324 apartment units, ranging from efficiencies to four bedroom units. The site was recently subdivided to create the parcel on which the building will sit, to be known as 929 North Wolfe Street. The building, now under construction, will be a mixture of brick and metal panel with structural projections comprised of occupiable floor space. As such, the franchise request is consistent with the previous Final Design Approval.

**Recommendation:** Approval

**17. CITY COUNCIL BILL #10-0586/SHARP LEADENHALL HISTORIC DISTRICT**

For the purpose of designating the area located within certain boundaries as the Sharp Leadenhall Historic District.

On November 10, 2009 the Commission for Historical and Architectural Preservation (CHAP) approved Sharp Leadenhall as a Local Historic District. On April 15, 2010, the Planning Commission approved Local Historic District Designation for Sharp

Leadenhall. CHAP's action is the first step and the Planning Commission's action is the second step in a three-step process for Baltimore City local historic district designation. This bill is the final step in the process. This action is consistent with the previous CHAP and Planning Commission actions.

**Recommendation:** Approval

**18. CITY COUNCIL BILL #10-0587/BALTIMORE CITY LANDMARK LIST:  
PUBLIC INTERIORS - THE SENATOR THEATRE**

For the purpose of designating the Senator Theatre, 5904 York Road, as a historical landmark: public interior.

On May 12, 2009 the Commission for Historical and Architectural Preservation (CHAP) approved Landmark Designation of the Public Interior of the Senator Theater located at 5604 York Road. On December 17, 2009 the Planning Commission approved Historic Landmark Designation of the Public Interior of the Senator Theater. CHAP's action is the first step and the Planning Commission's action is the second step in a three-step process for Baltimore City Historic Landmark Designation. This bill is the final step in the process. This action is consistent with the previous CHAP and Planning Commission actions.

**Recommendation:** Approval

**19. REVISED FINAL DEVELOPMENT PLAN/3029 AND 3031 DILLON STREET  
TOWNHOUSE FORMERLY PART OF 1000 SOUTH ELLWOOD AVENUE**

On June 11 2009, the Planning Commission approved the Final Subdivision Plan and Final Development Plan for 1000 South Ellwood Avenue to consolidate and re- subdivide the property into four lots for the construction of three new town homes and the renovation of an existing church into a single family home. On April 15, 2010 the Planning Commission approved a Revised Development Plan for one of the lots (3027 Dillon Street) in order to provide a garage instead of a car port. The applicant wishes to provide garages at 3029 and 3031 Dillon Street. These changes do not adversely impact the overall development plan for the site, and are consistent with the Planning Commission's initial approval of this action.

**Recommendation:** Approval