


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>Chris Ryer</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0589 / REZONING - 601 WEST WEST STREET (LOT N), 616 WEST WEST STREET (LOT NN), AND 701 WEST OSTEND STREET (LOT O)		

TO

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

DATE: October 11, 2024

At its regular meeting of October 10, 2024, the Planning Commission considered City Council Bill #24-0589, for the purpose of changing the zoning for the properties known as 601 West West Street (Lot N) (Block 0688C, Lot 019), and 616 West West Street (Lot NN) (Block 0688C, Lot 009), as outlined in red on the accompanying plat, from the C-4 Zoning District to the C-5-DC Zoning District, and the property known as 701 West Ostend Street (Lot O) (Block 0954, Lot 001), as outlined in red on the accompanying plat, from the I-2 Zoning District to the C-5-DC Zoning District; 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 #24-0589 and adopted the following resolution:

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0589 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Natawna Austin, Council Services
Mr. Frank Boston, Esq., Applicant



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

October 10, 2024

REQUEST: City Council Bill #24-0588/ City Council Bill #24-0588/ Area Of Special Signage Control – Designation – Stadium Area

For the purpose of approving the application of the Baltimore Ravens Limited Partnership to designate an Area of Special Signage Control known as the Stadium Area District; and providing for a special effective date.

City Council Bill #24-0589/ Rezoning – 601 West West Street (Lot N), 616 West West Street (Lot Nn), And 701 West Ostend Street (Lot O)

For the purpose of changing the zoning for the properties known as 601 West West Street (Lot N) (Block 0688c, Lot 019), and 616 West West Street Lot NN) (Block 0688c, Lot 009), as outlined in red on the accompanying plat, from the C-4 zoning district to the C-5-DC zoning district, and the property known as 701 West Ostend Street Lot O) (Block 0954, Lot 001), as outlined in red on the accompanying plat, from the I-2 zoning district to the C-5-DC zoning district; and providing for a special effective date.

City Council Bill #24-0590/ Zoning – Sign Regulations – C-5-DC Zoning District – Amendment

For the purpose of amending sign regulations to permit the sign type “freestanding (pole)” in an area of special signage control within the C-5-DC zoning district; and providing for a special effective date.

RECOMMENDATION: Adopt findings of fact and Approve

STAFF: Caitlin Audette

PETITIONER: Frank Boston o/b/o Baltimore Ravens Limited Partnership; Brandon Etheridge

OWNER: Baltimore Ravens Limited Partnership; Brandon Etheridge

SITE/GENERAL AREA

Site Conditions: The area is a former industrial area adjacent to the lower level of Russell Street opposite Russell Street from M&T Bank Stadium. Several of the properties in the area are surface parking lots that serve the stadium, which are owned by the Ravens.

General Area: The area is largely either industrial or commercial, with the nearest residential properties located along Scott Street and Ostend Street to the north and west. Directly southeast of Russell Street is the Warner Street Entertainment District.

HISTORY

- The city sold Lot O, located at 701 W. Ostend Street, to the Ravens in December of 2023.
- The Carroll Camden Urban Renewal Plan was last amended in 2020.

CONFORMITY TO PLANS

- Carroll-Camden Urban Renewal Plan – The URP was last amended in 2020, after the comprehensive rezoning. Notably it includes Lot 2 (Lot O) as a disposition lot with uses listed as industrial, retail, mixed use, and parking.
- Southwest Impact Investment Area – The adjacent area does not outline any plan or limitations for the area.
- South Baltimore Gateway Master Plan (2015) – For the impacted area this plan focuses on creating connections to neighborhoods.
- Reimagine Middle Branch – Within this plan there are several development areas within the general vicinity, including the incinerator site and the bus station. Additionally, the area is slated for expanded connectivity to existing trail networks and adjacent neighborhoods.

ANALYSIS

Background: The three bills work together to allow the Ravens to install a large-scale pole-mounted digital billboard that would be visible along the elevated Russell Street.

- CCB #24-0588 – This legislation proposes the creation of the Area of Special Signage Control, one of the limited number of ways to install new billboards within the city. This legislation creates the boundaries of the ASSC, and the proposed sign(s) would need to be reviewed as a Sign Plan by the Planning Commission following approval of the legislation.
- CCB #24-0589 – The legislation rezones the three parking lots (Lot O, Lot N, Lot NN) owned by the Ravens to C-5-DC from C-4 and I-2. This is needed to meet the goal of installing a pole mounted digital billboard as the current zoning C-4 and I-2 does not include Category III Electronic Signs, or large freestanding pole signs.
- CCB #24-0590 – This legislation would modify the Zoning Code to allow freestanding pole signs within the C-5-DC zoning district within Area of Special Sign Controls.

City Council Bill #24-0588/ City Council Bill #24-0588/ Area Of Special Signage Control – Designation – Stadium Area

The Zoning Code allows for the creation of Areas of Special Sign Control under Title 17, Subtitle 5. The purpose of which is to allow commercial areas the ability to depart from the standard signage requirements described in the Zoning Code to better respond to their unique character. The Planning Commission may recommend, and the City Council may approve the designation of an area that meets specific criteria as an Area of Special Sign Control.

Following the designation of the Area of Special Sign Control, the Planning Commission must approve the Signage Plan before any signs may be erected in the ASSC. The Signage Plan is the document that allows for specific signage, including the signage type, size, and amount. The Signage Plan must conform with *Table 17-201: Sign Regulations* and *Table 17-306: Maximum Cumulative Area of Signs*.

The designation of an area as an Area of Special Sign Control is one of a limited number of ways to allow for new billboards within the city.

Standards of application review -

- The proposed boundaries include the C-4 Zoning District, the accompanying legislation would change this zoning to C-5-DC. Both C-4 and C-5-DC are allowable areas for an Area of Special Sign Control.
- The proposed boundaries meet the requirements for Size of Area, as they exceed 600 linear feet of street frontage, include multiple properties, include properties located directly across the street from one another, and are in the previously mentioned zoning districts. However, a larger boundary that includes the entire stadium district would be more appropriate to allow this area, surrounding the M&T Bank Stadium and the Oriole Park at Camden Yards the ability to respond to the unique uses through a strategic sign plan.
- The Planning Commission may recommend approval of the application so long as the findings of fact are met, these same findings of fact are required during the Planning Commission review of the Signage Plan.
 - Would not increase the likelihood of traffic congestion or distraction.
 - Planning staff will continue to work with DOT to verify that traffic congestion and distraction will not increase because of the proposed designation.
 - Would not add to the visual clutter in the area; and
 - As Planning staff continues to work with the applicant on the Sign Plan, staff will verify that proposed signs do not add to the visual clutter in the area.
 - Would not be incongruous with the existing or contemplated design of the area
 - The area in question, adjacent to Industrial Zoned areas, Russell Street, and large-scale commercial properties will not be adversely impacted by the proposed signage. Staff will continue to work with the applicant to verify that any changes to the plan meet this requirement.

City Council Bill #24-0589/ Rezoning – 601 West West Street (Lot N), 616 West West Street (Lot Nn), And 701 West Ostend Street (Lot O)

ZONING CODE REQUIREMENTS

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

(b) *Map amendments.*

(1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(2) *Required findings of fact.*

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the City agencies and officials; and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.

(3) *Additional standards – General*

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
- (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

ANALYSIS

The properties in question have been home to surface parking lots since the stadiums were developed.

Required Findings:

Per §5-508(b)(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification.

Mistake: The use of the three properties has been consistent prior to and following the last comprehensive rezoning (2016). The applicant states that there was a mistake in the last rezoning, as the parking lots in question (currently zoned C-4 and I-2) do not follow the zoning pattern of the other parking lots in the area that serve the stadium, which are all zoned C-5-DC.

Maryland Land Use Code – Requirements for Rezoning:

The Land Use Article of the Maryland Code requires the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA) to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular neighborhood in the vicinity of the proposed changes (*cf.* MD Code, Land Use § 10-305 (2023)). In reviewing this request, the staff finds that:

- 1. The Plan:** The proposed rezoning is not contemplated in any of the plans that impact the site, for which there are several. In the plans the area that includes these parking lots is intended to remain industrial and commercial. However, a master plan for the Stadium area, including their surrounding parking lots, has not been completed. A master plan would address the future development needs of the Stadium site, the desired economic impact of the Stadium area and Entertainment zone, and the protection of traditional industrial properties and adjacent neighborhoods from displacement and negative impacts on their quality of life.
- 2. The needs of Baltimore City:** The rezoning from C-4 and I-2 to C-5-DC would change the type of future development that could occur at these properties. A comprehensive planning process for the Stadium site, Entertainment Zone and adjacent areas would enable the participation of impacted stakeholders, as well as property owners and City officials.
- 3. The needs of the particular neighborhood:** This area is experiencing investment through several different avenues including the Reimagine Middle Branch plan, the Southwest Impact Investment Area, Warner Street Entertainment District, and Maryland Stadium Authority investment in the stadiums. This particular proposed change has not been vetted by the surrounding community.

Similarly, the Land Use article, also adopted by Article 32 – *Zoning* §5-508(b)(2), requires the City Council to make findings of fact (MD Code, Land Use § 10-304 (2023)). The findings of fact include:

- 1. Population changes;** The area saw a decrease in population between 2010 and 2020 from 64 to 28 people. This is a negligible change as the Carroll Camden Industrial Area does not include much residential property.
- 2. The availability of public facilities;** This area is well served by public utilities, which will continue to serve the area.
- 3. Present and future transportation patterns;** The properties are within the Carroll Camden Industrial Area and more study would be necessary to understand how the rezoning could impact truck and other industrial traffic through the area.
- 4. Compatibility with existing and proposed development for the area;** The property will likely see increased development interest due to the investment in the stadiums, investment in adjacent communities, and the Warner Street Entertainment District. Concurrently, disinvestment may occur through land use speculation.

5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission with the recommendation that a more comprehensive planning process be initiated. The BMZA has not yet commented on this bill.
6. **The relation of the proposed amendment to the City's plan.** No plans for the area identify the development of these sites outside their current zoning.

There are additional standards under Article 32 – *Zoning* §5-508(b)(3) that must be considered for map amendments. These include:

- (i) **existing uses of property within the general area of the property in question;** the immediate area is predominantly industrial and commercial.
- (ii) **the zoning classification of other property within the general area of the property in question;** the surrounding properties are zoned C-4, IMU-1, I-1, I-2.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and** The properties in question have been used as surface parking lots for many years. Prior to this use the area housed industrial uses.
- (iv) **area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.** Since the last comprehensive rezoning the area has seen investment and planned investment through the Warner Street Entertainment District, the investment at M&T Bank Stadium, and plans for Reimagine Middle Branch, and the Southwest Impact Investment Area.

Below is the staff’s review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, staff finds that this change is in the public’s interest, in that it will allow for the continued use of the properties as surface parking lots, allow the installation of a digital billboard, and be in line with potential redevelopment of the area. A planning process should be completed to clarify how the rezoning could impact long term development.

City Council Bill #24-0590/ Zoning – Sign Regulations – C-5-DC Zoning District – Amendment

Proposal

The amendment proposes to amend the Zoning Code to allow “Freestanding (Pole)” within an Area of Special Signage Control within the C-5-DC Zoning District.

TABLE 17-201: SIGN REGULATIONS

Caution: Additional Sign Standards are Located in Title 17 {"Signs"}.

Sign Types by Zoning District *		Zoning District Requirements			Area of Special Signage Control (ASSC)		
	Approval Method	Maximum Area Per Sign	Height, Width, & Location Req'ts	Maximum Quantity	Sign Types Allowable for ASSC Deviation	Maximum Percentage Deviation for Height, Width, & Area	Quantity Deviation
....							
C-5-DC							
....							
Freestanding (Monument)	A	50 sq. ft.	Max. Hgt. 6 ft.	1 per lot	X	75%	Per Approved Signage Plan
FREESTANDING (POLE)	ASSC ONLY	700 SQ. FT.	MIN. HGT. 10 FT. MAX HGT. 75 FT.	1 PER LOT	X	75%	PER APPROVED SIGNAGE PLAN
....							

Analysis

Currently freestanding pole signs are not allowed within the C-5-DC zoning district. This proposal would allow them within this zoning district in Areas of Special Signage Control. Any proposed freestanding pole signs would be reviewed by the Planning Commission and are required to meet the findings of fact outlined for signs within Areas of Special Signage Control. C-5-DC is intended for the Downtown Core of the city but is not limited to this area. Presently, it is generally found in the geographic downtown area

EQUITY:

- Impact:
 - The combined legislation would allow the installation of large-scale digital billboards throughout the C-5-DC zoning district. Additionally, the more permissive zoning of C-5-DC which includes an unlimited height would be applied to the three identified sites which are adjacent to and visible from several Southwest Baltimore communities. This legislation has the potential to impact surrounding communities as well as communities throughout the city in the future. Robust outreach needs to be completed to not continue existing patterns of inequity that stem from decisions made without community involvement.
- Engagement:
 - To staffs knowledge the surrounding communities have not been meaningful engaged beyond outreach by staff in preparation for this meeting and the posting of the signs in

preparation for this meeting. This includes residents and businesses that are often excluded from planning processes such as the industrial property owners, legacy businesses, and under-resourced residential communities.

- Internal Operations:
 - The proposed bills have the potential to impact staff through interest from the development community and billboard owners to rezone areas across the city to C-5-DC to allow them to install large scale digital billboards.

Notification: The following groups were notified of these bills; Carroll Camden Business Association, Federal Hill South Neighborhood Association, South Baltimore, Federal Hill Main Street, Historic Pigtown Main Street, Ridgely's Delight Neighborhood Association, Barre Circle Community Association, Citizens of Pigtown, Otterbein, Historic Sharp Leadenhall, Federal Hill Neighborhood Association.

Recommendation:

City Council Bill #24-0588/ City Council Bill #24-0588/ Area Of Special Signage Control – Designation – Stadium Area

A larger boundary that includes the entire stadium district would be more appropriate to allow this unique area, surrounding the M&T Bank Stadium and the Oriole Park at Camden Yards the ability to respond to the unique uses through a strategic sign plan.

Recommendation: Adopt findings of fact and approve.

City Council Bill #24-0589/ Rezoning – 601 West West Street (Lot N), 616 West West Street (Lot Nn), And 701 West Ostend Street (Lot O)

Recommendation: Adopt findings of fact and approve.

City Council Bill #24-0590/ Zoning – Sign Regulations – C-5-DC Zoning District – Amendment

Recommendation: Approve



**Chris Ryer
Director**