

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0070 / Zoning – Conditional Use Parking, Open Off-Street Area – 1120 Clarkson St., etc.

CITY of
BALTIMORE
MEMO



TO

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

DATE: May 25, 2017

At its regular meeting May 25, 2017, the Planning Commission considered City Council Bill #17-0070, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area on the properties known as 1120, 1122, 1124, and 1126 Clarkson Street and 112, 114, 116, and 118 Seldner Place.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0070, and adopted the following resolution, seven members being present (seven in favor):

RESOLVED, That the Planning Commission finds, in accordance with §16-304 and §14-204 of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- will not be detrimental to or endanger the public health, security, general welfare, or morals;
- is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- is not otherwise in any way contrary to the public interest; and
- is in harmony with the purpose and intent of that article;

and further RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #17-0070 be amended and passed as amended by the City Council. The amendment recommended by the Planning Commission states: The site plan titled “Schematic Site Plan/ Proposed Mixed Use Development w/ Parking Lot/ Union Brothers/ 1120 South Hanover Street/ Lots 4, 52/54, 65-69, 74-77” dated 4/12/17 prepared by Colbert Matz Rosenfelt Inc., which includes the plan for this open off-street parking area, is attached to this bill, and made part of the legislation.

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: (next page)

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC
Mr. Joseph Woolman (for 37 West Cross Street LLC)



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 25, 2017

REQUEST: City Council Bill #17-0070/ Zoning – Conditional Use Parking, Open Off-Street Area – 1120, 1122, 1124, and 1126 Clarkson Street and 112, 114, 116, and 118 Seldner Place

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area on the properties known as 1120, 1122, 1124, and 1126 Clarkson Street (Block 948, Lots 66, 67, 68, and 69, respectively) and 112, 114, 116, and 118 Seldner Place (Block 948, Lots 74, 75, 76, and 77, respectively), as outlined in red on the accompanying plat.

RECOMMENDATION: Amendment, and Approval with the following amendment:

- That the site plan titled "Schematic Site Plan/ Proposed Mixed Use Development w/ Parking Lot/ Union Brothers/ 1120 South Hanover Street/ Lots 4, 52/54, 65-69, 74-77" dated 4/12/17 prepared by Colbert Matz Rosenfelt Inc., which includes the plan for this open off-street parking area, is attached to this bill, and made part of the legislation.

STAFF: Martin French

PETITIONERS: Councilman Costello, at the request of Joseph R. Woolman, esq. on behalf of 37 West Cross Street LLC

OWNER: 37 West Cross Street LLC

SITE/GENERAL AREA:

Site Conditions: These properties are located at the northwest corner of the intersection of Clarkson Street and Seldner Place. The 1931 Police Survey recorded 1118-1126 Clarkson Street being used for storage of wagons. Only 114 Seldner Place has a record stating that the building on it was razed in October of 1927, and consequently the 1931 Police Survey recorded no use of the property. In 2003 a Zoning Violation Notice was issued for 112-118 Seldner Place being used as a storage yard in violation of regulations for the R-8 Zoning District, reflecting unimproved conditions for these unconsolidated lots which originally were developed as rowhousing in the 19th Century.

General Area: This site is in the southern part of a residential, commercial, and industrial mixed-use area now known as Sharp-Leadenhall that is comprised of two-story and three-story attached dwellings with non-residential uses such as churches, small retail establishments, and other commercial properties present, of which 1118 Clarkson Street (a former furniture

factory) which adjoins this parking lot site is an example. Across Race Street one block to the west of this site is the new Stadium Square residential mixed-use development approved by the Planning Commission several years ago.

HISTORY:

This property is located in the former Sharp-Leadenhall Urban Renewal Plan Area; this Plan was adopted in 1974 and expired in 2016. It was also subject to consideration for rezoning during the TransForm Baltimore process (see Background, below).

CONFORMITY TO PLANS:

The proposed action is consistent with the City of Baltimore's Comprehensive Master Plan, LIVE EARN PLAY LEARN, Live Goal 1, Objective 2: Strategically Redevelop Vacant Properties Throughout the City; and Earn Goal 1, Objective 1: Retain and Attract Businesses in all Growth Sectors.

ANALYSIS:

Background: As of this moment, and for 11 more days, the "Union Brothers" site is zoned R-8 under the 1971 Zoning Code, reflective of the single-family attached and multiple-family dwellings that predominate in this community. The Planning Commission, in developing the map for the new TransForm Baltimore zoning code, carefully studied the existing conditions of this site and its immediate area and concluded that R-8 zoning along Seldner Place and 1120-1126 Clarkson Street should remain, with rezoning of 1118 Clarkson Street to I-MU (Industrial Mixed-Use) to reflect the potential of the existing furniture factory building for adaptive re-use, representing the best use of the western part of the site. The Planning Commission further studied the non-residential areas across Clarkson Street from this site, and proposed rezoning them to C-1 (Commercial). As C-1 is a community-oriented level of commercial zoning, it would encourage redevelopment of that immediate area with community-oriented enterprises. The Mayor and City Council concurred with the Planning Commission's recommendations in adopting the new Zoning Code and its map which will be effective on and after June 5, 2017. This is the combination of new zones scheduled to become effective June 5, 2017 that will shape the proposed "Union Brothers" redevelopment of this immediate area. City Council Bill #17-0070 would authorize the open off-street parking area that is needed to service this proposed mixed-use redevelopment.

Land Use and Urban Design: Planning staff met with the petitioner and petitioner's consulting engineers to discuss redevelopment of the entire "Union Brothers" site, including the properties that are the subject of City Council Bill #17-0070. Because there are existing new residential dwelling structures on the east side of Race Street to the immediate west of these vacant properties, and because the vacant lots at the northeast corner of Race Street and Seldner Place are also zoned R-8 for residential development, the schematic site plan includes a green buffer area between those structures and vacant lots and the western edge of the proposed parking area. This schematic site plan therefore needs to be made part of this legislation.

Conditional Use: The Zoning Code requires (*cf.* §§ 16-304 and 14-204) that the Planning Commission find that:

- (1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- (2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization is not otherwise in any way contrary to the public interest; and
- (4) the authorization is in harmony with the purpose and intent of this article.

Planning staff review of the required considerations of §§ 16-304 and 14-204 of the Zoning Code determined that the proposed open off-street parking area, if constructed in accordance with the schematic site plan titled “Schematic Site Plan/ Proposed Mixed Use Development w/ Parking Lot/ Union Brothers/ 1120 South Hanover Street/ Lots 4, 52/54, 65-69, 74-77” dated 4/12/17 prepared by Colbert Matz Rosenfelt Inc., which includes the plan for this open off-street parking area, would meet all of these standards and considerations. Subject to addition of an amendment to this effect, this bill would be approvable.

Notification: The Sharp-Leadenhall Improvement Association and Councilman Costello were notified of this action.



Thomas J. Stosur
Director