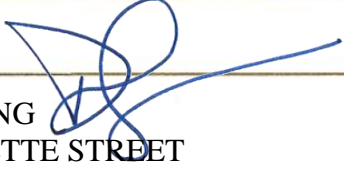



FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0351 / REZONING - 1801 TO 1807 BLOOMINGDALE ROAD AND 1800 TO 1816 NORTH ROSEDALE STREET		

TO

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

DATE: July 24, 2023

At its regular meeting of July 20, 2023, the Planning Commission considered City Council Bill #23-0351, for the purpose of changing the zoning for the properties known as 1801 to 1807 Bloomingdale Road (Block 2427, Lots 032 to 035) and 1800 to 1816 North Rosedale Street (Block 2427, Lots 001 to 009), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #23-0351 and adopted the following resolution, with eight members being present (eight in favor):

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 #23-0351 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
Mr. Ethan Cohen, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
The Honorable James Torrence, 7th District
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
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

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

STAFF REPORT



Chris Ryer
Director

June 29, 2023

REQUEST: City Council Bill #23-0351/ Rezoning – 1801 to 1807 Bloomingdale Road etc.:
For the purpose of changing the zoning for the properties known as 1801 to 1807 Bloomingdale Road (Block 2427, Lots 032 to 035) and 1800 to 1816 North Rosedale Street (Block 2427, Lots 001 to 009), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

RECOMMENDATION: Adopt findings and Approve

STAFF: Eric Tiso

INTRODUCED BY: Councilmember Torrence

OWNER: Multiple

SITE/GENERAL AREA

Site Conditions: The subject properties are located in the southern half of the roughly triangular-shaped block bounded by Bloomingdale Road on the southwest side, Westwood Avenue on the south, North Rosedale Street on the east, and the upper part of the block bounded by West North Avenue on the northern side. These properties are currently zoned R-8 residential, and are owned by separate individuals as well as a couple of lots owned by the Mayor and City Council of Baltimore. All but one of the properties fronting on North Rosedale Street have been cleared.

General Area: These properties are located in the Northwestern corner of the Northwest community action neighborhood area. This neighborhood is predominantly residential in nature, predominantly comprised of rowhomes. There are public and institutional buildings scattered throughout the area. The Wilbur H. Waters Park is located along the eastern edge of the neighborhood, and Gwynns Falls/Leakin Park lies several blocks to the west.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

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

Councilman Torrence has introduced this bill to unify the block under C-1 zoning, in the hope that it will lead to the redevelopment of the southern half of this block.

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. Staff believes that there has been a significant change in this block, including the following: All but one of the lots fronting on North Rosedale Street were cleared just after the 2017 enactment of the current zoning code. 1800 North Rosedale Street had windows in the upper two floors of the main building boarded in 2019, and the largest part of the building now appears to be unused, with only the rear one-story addition used as a nonconforming commercial corner store remaining active (staff notes that the liquor store component should have been amortized by now). That small portion of the building remaining active prevents the property from otherwise getting a vacant building notice. Three of the four properties fronting on Bloomingdale Road now have vacant building notices, leaving only 1807 Bloomingdale Road occupied by a religious institution, after purchasing the building in March of 2021.

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:** As part of the comprehensive rezoning of the city in 2017, it was anticipated that the existing residential development in this portion of the block would remain as-is into the future. Under the prior zoning code, the entirety of this triangular block was zoned B-2-2 for commercial use. The subject properties were rezoned to R-8 as part of that comprehensive rezoning of the city, in order to better match the new zoning for the area to the existing development on the property.
2. **The needs of Baltimore City:** These properties are located in a transition area between the commercial properties located along West North Avenue and on the west side of Bloomingdale Road, going towards the residential community to the south. There is no particular comprehensive plan or other City goal that influences the zoning classification of this area to remain residentially zoned.
3. **The needs of the particular neighborhood:** For the surrounding neighborhood, the redevelopment of this block is immediate goal, and returning these properties to commercial zoning will provide a better chance at returning them to productive use. Staff notes that residential use (including all-residential options) are available under the proposed C-1 zone.

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 Northwest Community Action neighborhood lost approximately 500 people between the 2010 to 2020 decennial censuses, and is a predominantly African American community. Fortunately, vacant housing units have also seen a downward trend (134 in 2020 vs. 166 in 2010). This shift indicates that preserving the residential zoning assigned to these properties in 2017 will not create a shortage of residential opportunities in the immediate neighborhood.
2. **The availability of public facilities;** The existing neighborhood is well served by public facilities, and this is not anticipated to change. The existing infrastructure will support wide range of potential redevelopment options.
3. **Present and future transportation patterns;** Redevelopment of this area will not negatively impact the transportation patterns of the surrounding neighborhood.
4. **Compatibility with existing and proposed development for the area;** The C1 proposed zone provides for a wide range of commercial and residential options, including all residential options. This will be suitable for the continued transition between the existing commercial corridor along West North Avenue and this rounding residential area to the South.
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. The BMZA has not yet commented on this bill.

6. **The relation of the proposed amendment to the City's plan.** There are no specific plans calling for this block to retain residential 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;** This block has commercial uses on two sides - a gas station to the west across Bloomingdale Road, and the commercial corridor of West North Avenue to the north. There is a vacant building across North Rosedale street to the east that previously housed an institutional use.
- (ii) **the zoning classification of other property within the general area of the property in question;** The gas station property to the west is currently zoned C-2, and the commercial corridor of West North Avenue is zoned C-1. The balance of the surrounding properties are zoned R-6 residential, with the exception of a single C-1 property diagonally across the intersection of Bloomingdale Road and Westwood Avenue.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and** The existing buildings that remain could potentially be renovated for residential uses, but that has not been forthcoming in recent years. The subsequent vacancy has led to the demolition of almost all of the lots fronting on North Rosedale Street.
- (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.** These properties have largely seen an increase in disinvestment, and subsequent demolition. The hope for the proposed redevelopment is that the flexibility offered by the proposed C-1 zoning will encourage new investment for these properties.

Below is the staff's review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that this change is in the public's interest, in that it will promote redevelopment and reinvestment in the immediate area, reducing vacancy and blight.

Equity:

- **Impact:** The proposed rezoning would return the option for commercial use to this block, which will most likely provide a generally positive impact to the surrounding neighborhood. Staff does not believe that redevelopment would create or increase any existing patterns of inequity in the area.
- **Engagement:** This proposal has been introduced by the Councilmember for the area, and reflects the community's interest.
- **Internal Operations:** Staff does not expect any impacts on staff time or resources as a result of this action.

Notification: The Coppin Heights CDC, the Alliance of Rosemont Communities, the Citizens for Community Improvement, the North Avenue Task Force, the West North Avenue Development Authority, and the Northwest Community Action Organization have been notified of this action.

For/ *Chris Ryer*

Chris Ryer
Director