

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 #15-0548 / REZONING – CERTAIN PROPERTIES IN THE BARCLAY COMMUNITY

CITY of
BALTIMORE
MEMO



TO

DATE:

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

August 28, 2015

At its regular meeting of August 27, 2015, the Planning Commission considered City Council Bill #15-0548, for the purpose of changing the zoning for certain properties in the Barclay Community: as outlined in blue on the accompanying plat, from the B-3-2 Zoning District to the B-2-3 Zoning District; and as outlined in red on the accompanying plat, from the R-9 Zoning District to the B-2-3 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #15-0548 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 #15-0548 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. Kaliop 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. Elena DiPietro, Law Dept.
- Ms. Natawna Austin, Council Services
- Ms. Melissa Krafchik, PABC



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 27, 2015

REQUEST: City Council Bill # 15-0547/ Urban Renewal –Barclay-Amendment
City Council Bill #15-0548 /Rezoning- Certain Properties in the Barclay Community

RECOMMENDATION: Approval

STAFF: Tamara Woods

PETITIONER: The Administration (Department of Housing and Community Development)

OWNERS: Housing Authority of Baltimore City (HABC)

SITE/GENERAL AREA

Site Conditions: The subject sites include several properties along the west side of the 1900 and 2000 blocks of Greenmount Avenue. The properties lie between Heaver Street, East 20th Street, Worsley Street and East 21st Street. The subject site has been cleared and has a mix of R-9, and B-3-2 zoning.

General Area: The site is located in the Barclay neighborhood. The area is comprised predominantly of residential row homes with institutional uses nearby.

HISTORY

- Ordinance #927, approved on December 13, 1978 established the Barclay Urban Renewal Plan.
- Ordinance #251, approved on March 23, 1989 amended the Barclay Urban Renewal Plan
- June 16, 2005, the Planning Commission adopted Barclay-Midway-Old Goucher Small Area Plan.
- On June 7, 2012, the Planning Commission approved several street closings related to the project.
- On August 9, 2012 the Planning Commission approved a major subdivision for the Barclay Phase II Rental Project.

CONFORMITY TO PLANS

This project is consistent with the Comprehensive Master Plan's LIVE section, Goal One: Build human capital by strengthening Neighborhoods, Objective One: Expand housing choices for all residents.

ANALYSIS

In the spring of 2005, the Housing Authority of Baltimore City (HABC) released a Request for Qualifications (RFQ) for the redevelopment of a portfolio of City-controlled properties in the Barclay/Old Goucher neighborhood of Baltimore City. In January 2006, Telesis Corporation was selected by Baltimore Housing and the community to lead the revitalization of Barclay/Old Goucher.

The goal of the plan is to transform the neighborhood into a stable, mixed-income community with quality open spaces, community facilities, and employment opportunities. Pursuant to the RFQ, the Plan must provide a sufficient amount of affordable units to accommodate current residents and a significant number of moderate and market-rate units to create a stable and diverse mix of incomes and tenure. The RFQ parcels are to be redeveloped into strong neighborhood assets in close accordance with the Planning Commission adopted Barclay-Midway-Old Goucher Small Area Plan.

Both City Council Bill #15-0547 and City Council Bill #15-0548 were introduced by The Administration and are part of the implementation of the major effort by Baltimore Housing.

City Council Bill # 15-0547/ Urban Renewal –Barclay-Amendment

This bill is for purpose of amending the Urban Renewal Plan Exhibits 1 and 4 of the Plan to reflect the change in land use and the change in zoning for properties 1920, 2000-2020, and 2026 Greenmount Avenue. This bill would change the land use to from “Community Commercial”, which is a more intensive land use to “Community Business”, which is more in keeping with the planned changes and direction of Greenmount Avenue. In addition the bill would allow for the change in zoning districts to B-2-3.

City Council Bill #15-0548 /Rezoning- Certain Properties in the Barclay Community

If enacted, this bill, which is a companion bill to City Council Bill 15-0547-Urban Renewal-Barclay Amendment, would allow the rezoning of the properties located on Greenmount Avenue to support the approved Rental Phase III project of the Barclay Redevelopment called the North Barclay Green 3 Phase III. The properties at 2000 to 2026 Greenmount Avenue would be rezoned from the B-3-2 Zoning District to the B-2-3 Zoning District. The properties located at 1920 and 2000 Greenmount Avenue are both split zoned parcels; 1920 Greenmount Avenue is R-9/B-2-3 and 2000 Greenmount Avenue is R-9/B-3-2. The R-9 portion of both parcels is proposed to be rezoned to B-2-3 and the B-3-2 portion of 2000 Greenmount Avenue is proposed to be rezoned to B-2-3.

The proposed land uses and density proposed in the Planned Unit Development are based on rezoning the site from B-3-2 to B-2-3. The requested B-2-3 zoning district is a neighborhood business district designation that allows for high density residential with a minimum of 550 square feet of lot area per dwelling unit and a Floor Area Ratio (FAR) of 5.0. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for the area. No front, rear or street corner setbacks are required. No interior side yard setbacks are required, but if one is provided, it must be at least 10 feet. The current request is consistent with the B-2-3 zoning which exists to the south.

According to Section 6-401(a) of the existing zoning code, the B-3 zoning category is “designed primarily to accommodate business, service, and commercial uses of a highway-oriented nature. The district provides for a wide range of necessary services and goods that do not involve local shopping and are not characteristic of business shopping areas.

In completing its analysis, the Department of Planning Staff not only studied the request based on the Maryland Land Use Article, but also the character of the site.

Rezoning Standards for Review

According to Maryland Land Use Article, Division I, Title 10 (Baltimore City Zoning), any proposed zoning changes must be referred to the Baltimore City Planning Commission and to the Board of Municipal and Zoning Appeals (BMZA), which must study the proposed changes in relation to:

1. *The plan* – The Baltimore City Comprehensive Master Plan is not so specific as to recommend land use and/or zoning changes for the properties in question. But as stated previously, this request is in-line with the goals and objectives of LIVE EARN PLAY LEARN Plan’s LIVE section, Goal One: Build human capital by strengthening Neighborhoods, Objective One: Expand housing choices for all residents.
2. *The needs of Baltimore City*- The proposed B-2-3 zoning district supports the City’s master plan goal to strengthen neighborhoods and strategically redevelop vacant properties throughout the City.
3. *The needs of the particular neighborhood in the vicinity of the proposed changes*- The proposed B-2-3 zoning district also supports the specific neighborhood needs to provide additional housing choice for existing residents as well as potential new residents by implementing a long-term vision of creating a mixed-use neighborhood that allows people to live, work and play in the same neighborhood. The current zoning allows for “highway oriented” commercial with lower density. This is not in keeping with the plan to create a mixed use walkable neighborhood and corridor. The proposed rezoning to B-2-3 allows for more density, but a lower breadth of uses that is more conducive to neighborhood retail and walkable communities.

Once the Planning Commission and BMZA report their findings and recommendations to the Mayor and City Council, the City Council shall make the following findings of fact:

1. *Population change*- Per our Neighborhood Statistical Area Map (neighborhood map), this parcel lies within the Barclay neighborhood. Between the 2000 and 2010 Census, the neighborhood lost 19.8 % of its population, which is 537 people. During this period the City of Baltimore has undergone planning for the neighborhood and is working with a master developer to redevelop the neighborhood.
2. *Availability of public facilities*- The properties are well served by City services, with no expected impacts as a result of rezoning.
3. *Present and future transportation problems*- This site is located on a major street that is closely monitored by the Department of Transportation. There is not a negative transportation impact expected as a result of this development. Though the exact future impact is not known at this time, as a matter of course, commercial and mixed use developments often share parking, thereby reducing the total impact on the area. That

being said, any specific impacts related to a higher density use and resulting mitigation measures for this site will be discussed with the Department of Transportation.

4. Compatibility with existing and proposed development for the area- The rezoning proposal is consistent with the existing zoning in the area. The subject parcel is adjacent to a large B-2-3 zoning district which exists just to the south along both the east and west sides of Greenmount Avenue. The resulting massing is compatible with the existing development. The proposed residential component will be taller than what currently exists in the adjacent residential areas, but the proposed massing is both consistent and compatible with the larger multi-family housing further south along Greenmount Avenue in Greenmount West and in Johnston Square.
5. Recommendations of the Baltimore City Planning Commission and the 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. Relationship of the proposed amendment to Baltimore City's plan- As mentioned above, the proposed zoning changes are compatible with LIVE EARN PLAY LEARN, the City's Master Plan.

The City Council may grant the change to the zoning classification based on a finding that there was either a substantial change in the character of the neighborhood where the property is located, or that there was a mistake in the existing zoning classification. In this case, the neighborhood is undergoing substantial change in character that is reflected in the Planning Department analysis below.

Substantial Change

As noted above, between 2000 and 2010, the Barclay neighborhood suffered a severe decline in population which left many vacant lots and homes. In 2005, the Planning Commission adopted the Barclay Midway Old Goucher Small Area Plan and Baltimore Housing issued a Request for Qualifications in order to bring in the Telesis Corporation, a master developer, to re-envision the Barclay neighborhood.

The redevelopment area covers most of the area north of North Avenue, west of Greenmount Avenue, south of 25th Street, and east of Hargrove Street. The plan calls for a mixture of new construction residential (both rental and homeownership), with scattered-site rehabilitated residential, parks, community gardens, and a small amount of retail/community space.

The resulting plan called for the development of approximately 322 houses, of which 199 were rental units and 123 were for-sale housing, developed through a combination of the rehabilitation of vacant properties on strong blocks and new construction on blocks with high vacancy rates. To date, 141 rental units have been created and are 99% occupied. Additionally, 35 for sale homeownership opportunities were created of which 34 are sold. The next two phases consists of 32 market rate for sale units and a community park. This rezoning would support a mixed-use building that is planned to have 57 affordable units and commercial spaces.

As shown, the sharp decline in population notes a substantial change in the neighborhood and the work of the master developer shows the resulting shift and substantial change in the last several years.

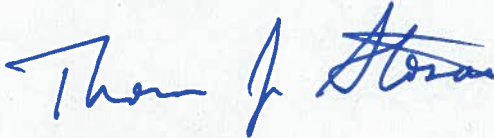
TransForm Baltimore

The TransForm zoning recommendation for these particular properties is that they be rezoned to C-1, which is a less intensive use category than the current zoning of B-3-2. The proposed zoning category of C-1 is a more pedestrian commercial corridor with less intensive uses. These recommendations indicate a plan to create a more mixed use walkable corridor that allows for small scale retail, as well as, mixed use buildings with ground floor retail and residential units above.

As part of its review of the request, rezoning standards and TransForm Baltimore recommendations were considered. The Greenmount corridor is a mixture of both B-3-2 and B-2-3 zoning. The proposed zoning change from B-3-2 to B-2-3 is an expansion of an existing zoning category, but is more in keeping with the shift that is occurring in the Barclay neighborhood and along Greenmount Avenue and with the plan of TransForm Baltimore to change the corridor to allow for less intensive, but more neighborhood friendly commercial uses.

COMMUNITY NOTIFICATION

The following groups have been notified in advance of this hearing: The Barclay- Midway & Old Goucher Coalition, the Greater Greenmount Community Association, Inc., People's Homesteading Group, Inc. and the Housing Authority of Baltimore City (HABC) and the City Councilman Carl Stokes.



**Thomas J. Stosur
Director**