


FROM	NAME & TITLE	DOUGLAS B. MCCOACH, III, DIRECTOR <i>gbc/Dr D. McC, III</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #08-0029/REZONING – 1301 BOYLE STREET AND 1414 KEY HIGHWAY		

TO

DATE:

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

August 8, 2008

At its regular meeting of August 7, 2008 the Planning Commission considered City Council Bill #08-0029, for the purpose of changing the zoning for the property known as 1301 Boyle Street and 1414 Key Highway, as outlined in red on the accompanying plat, from the M-2 zoning districts 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 #08-0029. However, at the hearing staff recommended that the B-2-3 zoning designation be changed to B-2-4. The B-2-4 zoning designation is called for in the in the Master Plan, "Key Highway Waterfront Study". Thus, the Planning Commission reviewed and accepted the amendments from staff made at the hearing and recommended and adopted the following resolution, eight members being present (eight members in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #08-0029 be amended and passed by the City Council.

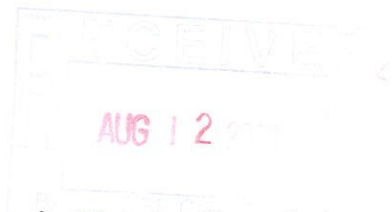
If you have questions, please contact Mr. Gary W. Cole, Deputy Director at 410-396-8337.

DBM/GWC/ttl

Attachments

cc:

- Mr. Andrew Frank, Deputy Mayor
- Mr. Demuane Milliard, Mayor's Office
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. for Planning Commission
- Mr. David Tanner, BMZA
- Mr. Charles Lee, DHCD
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Jennifer Coates, Councilmanic Services
- Ms. Linda Barclay, Law Department
- Ms. Kim Clark, BDC



F/A

PLANNING COMMISSION

STAFF REPORT

August 7, 2008

REQUESTS:

- City Council Bill #08-0028/Urban Renewal – Key Highway East Industrial Area – Amendment – For the purpose of amending the Urban Renewal Plan for Key Highway East Industrial Area to permit a new land use in the Renewal Area, modify the objectives of the Renewal Plan, add a new Appendix to the Renewal Plan, clarify, conform, and correct certain language and references in the Plan, and revise certain exhibits to the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.
- City Council Bill #08-0029/Rezoning – 1301 Boyle Street and 1414 Key Highway – For the purpose of changing the zoning for the properties known as 1301 Boyle Street and 1414 Key Highway, as outlined in red on the accompanying plat, from the M-3 Zoning District to the B-2-3 Zoning District.

RECOMMENDATION:

- City Council Bill #08-0028 – Amendment and approval, with the following amendments:
 - That after Section 1, part (7) *Proposed Appendix A*, subpart B, paragraph 3, add a new paragraph 4, to read as follows:
 - That within the boundaries of the plan, on the landside of Key Highway, buildings will be a minimum height of 45' and not more than a maximum height of 90'. Buildings above 35' in height on Harvey Street must be set back 30'. Buildings above 70' in height on Key Highway, Lawrence Street, and Fort Avenue must be set back 12'.
 - At the end of Section 1, the duplicated part (7) referencing a revision to Exhibit 1, "Zoning Districts Map" should be renumbered to (8).
- City Council Bill #08-0029 – Approval.

STAFF: Eric Tiso

PETITIONER: The Shapiro Company

OWNER: Mark Shapiro

SITE/GENERAL AREA

Site Conditions: 1301 Boyle Street and 1414 Key Highway are located on the south side of the Key Highway, on either side of the intersection with Boyle Street. These properties are currently improved with two- and three-story buildings. This site is zoned M-3 and is located within the Key Highway East Industrial Urban Renewal Plan area.

General Area: These properties are located within the Riverside community, opposite of the Baltimore Museum of Industry, and about three blocks south east of the Harborview development. The Southside Shopping Center is located one block to the south on Lawrence Street.

HISTORY

- The Key Highway East Industrial Area Urban Renewal Plan was established by Ordinance 87-989, dated June 29, 1987
- The Key Highway Waterfront Study was approved by the Planning Commission on May 1, 2008, which includes the subject properties.

CONFORMITY TO PLANS

This site lies within the Key Highway Waterfront Study area, dated May 1, 2008, and the proposal for rezoning is specifically called for as a part of this study. The project is also consistent with the Comprehensive Master Plan's LIVE section, Goal Two: Elevate the Design and Quality of the City's Built Environment, Objective One: Improve Design Quality of Baltimore's Built Environment (Develop design guidelines to respond to the unique character of Baltimore City).

ANALYSIS

City Council Bill #08-0028: The effects of the amendments to this bill will add mixed use development to the general intent of the Urban Renewal Plan (URP), clarifies provisions for noncomplying structures and nonconforming uses, adds mixed use areas to the Land Use Plan map, provides for land uses as per a B-2 District while listing certain prohibited uses, conforms or updates references to the Zoning Code, creates and separates mixed use development controls from those applicable to Industrial and Public areas.

Mixed Use Development and Land Uses: The URP mentions that the objectives of the project are "To maintain the Key Highway East area as an industrial employment area." And "to encourage re-use of waterfront parcels for nonresidential development that is compatible with adjacent industrial and residential areas." The existing land uses do not support this intent in reality, as cited by the recent Key Highway Waterfront Study. In order to allow for appropriate land uses, a new mixed use category needs to be added to the Land Use Plan, including residential uses. For the new Mixed Use District, B-2 uses will be allowed, and five specific land uses will be prohibited. An intent statement is also created for the Mixed Use category, and references the proposed development controls.

Development Controls: The new development controls are proposed to be added as a new Appendix A and will provide for several additional requirements or controls:

- Streetscape guidelines will have requirements for sidewalk widths and paving, street trees and landscaping, street furniture and amenities, as well as lampposts and lighting. The intent is to reduce the existing highway look and feel.
- Massing and bulk controls are intended to provide buildings that are of “Boulevard Scale” in the 5-8 story range along Key Highway. Building heights will not be able to exceed 90’ in height, and will require a 12’ front setbacks for those buildings over 65’ in height along Key Highway, Boyle Street, and Lawrence Street. For Harvey Street, buildings over 30’ in height will require front setbacks of 35’ (except for near the intersection with Lawrence Street).
- Building Design Guidelines: the proposed guidelines are intended to create buildings with distinct bases that have active uses with windows at the street level that contribute to the boulevard look and feel. Windows will have specific requirements to increase security and liveliness. The penthouse, corner and entry portions of the building should have a finished feel that distinguishes the buildings architecturally. Normally obtrusive rooftop functional elements should be screened or hidden. Signage should be varied to allow for individual personalities of the various ground floor uses. Curb cuts and ground floor garages are to be minimized, but where necessary, should blend with the goal of a lively urban character. Structured parking should be hidden by wrapping with residential or commercial uses. Surface parking lots are to be prohibited.
- Parking Requirements: Increased parking ratios are specified for office, retail, hotel, and residential uses. For multi-family dwellings, separate parking requirements are listed in an increasing schedule based on the number of bedrooms per dwelling unit. This increasing schedule based on bedroom count is a concept not currently in use in the Zoning Code.

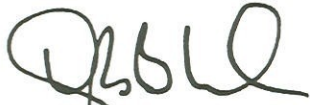
Amendments: Staff recommends two changes to this bill. First, that the height requirements and limitations proposed by the Key Highway Waterfront Study be incorporated into the Key Highway East Industrial URP. Secondly, is a technical correction so that the repeated subparagraph (7) is renumbered as subparagraph (8).

City Council Bill #08-0029: 1301 Boyle Street and 1414 Key Highway are proposed to be rezoned from the M-3 Zoning District to the B-2-3 Zoning District.

Standards for Rezoning: As per the Maryland Annotate Code Art. 66B §2.05, the City Council must make certain findings of fact and the Planning Commission must provide a recommendation on the proposal. The proposed amendments to the Key Highway East Industrial URP promote compatibility with both the existing and proposed development for the area. Likewise, the Key Highway Waterfront Study provides clear direction that this area should be rezoned to match existing land uses. The area has experienced a significant change in that it is no longer principally used by industrial operations, but rather has taken on a mixed use character.

Based on the significant change to the area, the needs of both the City in general and the Riverside neighborhood specifically, as well as the findings of the Key Highway Taskforce and the Waterfront Study, the rezoning of these properties should be approved.

Community Input: The following organizations have been notified of these bills: The Federal Hill South Neighborhood Association, The Federal Hill Neighborhood Association, the Riverside Action Group, the Locust Point Civic Association, the Key Highway Task Force, and the Key Highway Community Association.



Douglas B. McCoach, III
Director