

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 #24-0504 / ZONING - OPEN SPACE DISTRICT - CONDITIONAL USE CULTURAL FACILITY AND PARKING LOT - VARIANCES - C.C. JACKSON PARK AND LIBRARY - 4910 PARK HEIGHTS AVENUE		

TO

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

DATE:

May 10, 2024

At its regular meeting of May 9, 2024, the Planning Commission considered City Council Bill #24-0504, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a cultural facility and an open off-street parking area on the property known as C.C. Jackson Park and Library, 4910 Park Heights Avenue (Block 4605, Lots 001-018, 021, 055-065) as outlined in red on the accompanying plats; 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 #24-0504 and adopted the following resolutions, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-308 and §5-406 of Article 32 – *Zoning*, that:

- (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;
- (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
- (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
- (4) the variance will not:
 - (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or
 - (ii) substantially diminish and impair property values in the neighborhood;
- (5) the variance is in harmony with the purpose and intent of this Code;
- (6) the variance is not precluded by and will not adversely affect:
 - (i) any Urban Renewal Plan;
 - (ii) the City's Comprehensive Master Plan; or
 - (iii) any Historical and Architectural Preservation District; and
- (7) the variance will not otherwise:
 - (i) be detrimental to or endanger the public health, safety, or welfare; or
 - (ii) be in any way contrary to the public interest.

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 #24-0504 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
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

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



Chris Ryer
Director

STAFF REPORT

May 9, 2024

REQUEST: City Council Bill #24-0504 / Zoning – Open Space District – Conditional Use Cultural Facility and Parking Lot – Variances – C.C. Jackson Park and Library – 4910 Park Heights Avenue

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a cultural facility and an open off-street parking area on the property known as C.C. Jackson Park and Library, 4910 Park Heights Avenue (Block 4605, Lots 001-018, 021, 055-065) as outlined in red on the accompanying plats; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Renata Southard

PETITIONERS: Councilperson Sharon Middleton Green on behalf of The Administration (Department of Recreation and Parks)

OWNER: Mayor and City Council

SITE/ GENERAL AREA

Site Conditions: This site is on the southern edge of the existing CC Jackson Park, in the Central Park Heights Neighborhood and within the boundary of the Park Heights Major Redevelopment Area. The site consists of several individual Mayor and City Council-owned parcels, which are expected to be consolidated and subdivided into two sites as part of the development project, with one site remaining as a public park use and the other house the new Park Heights Branch Enoch Pratt Free Library. The site is relatively flat and contained a number of buildings until they were demolished in 2018. Since that time, the site has been planted with grass.

General Area: The site is located the northwest corner of the intersection of Park Heights and Woodland Avenues, approximately 2 miles west of I-83, 0.5 miles south of Northern Parkway, 0.5 miles east of Reisterstown Road, and 0.5 miles north of Cold Sprint Lane. There are a mix of newly constructed buildings, older historic buildings and a variety of land-uses surrounding the site. CC Jackson Park and Recreation Center are located to the immediately north, newly constructed age-restricted (senior) multi-family housing developments are located to the south and east of the site, and new a range of newly constructed housing is planned for the south and southwest of the site. These new typologies include semi-detached and detached housing. There are also existing rowhouses to the west and northwest of the site, and two new 21st Century Schools within 0.5 miles of the site.

HISTORY

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

CONFORMITY TO PLANS

The proposed action is supportive of 2006 Park Heights Plan (amended in 2008), which was adopted by the Planning Commission. The Park Heights Plan addressed land use and human services within Park Heights. The plan identified Park Heights and Woodland Avenues as major redevelopment area and recommended adding 7 acres of land to expand CC Jackson Park to benefit existing and future residents. The 2009 Park Heights Urban Renewal Plan (amended 2014) was created to provide housing, economic opportunities for PH residents. The library, recreation center and expanded park use support both of the plans referenced above; the parking lot is accessory to and in support of those uses.

ANALYSIS

Background: The Department of Recreation and Parks is in the process of further developing recreational options at CC Jackson Park, and the park is undergoing a renovation and upgrades to the newly expanded park site. To augment an existing outdoor swimming pool and small recreation building, a new fitness and wellness center, improved basketball courts, and a large open field for athletics are to be created. Additionally, a new Enoch Pratt Free Library is being constructed on the site near the corner of Park Heights and Woodland Avenues. To serve some patrons of these new facilities, DRP is proposing to construct a parking lot for approximately 47 cars (including spaces for handicapped-accessible transportation) on the southwestern portion of the park, adjacent to the new library building.

The Park Heights major redevelopment area has been a Department of Housing and Community Development (DHCD) for many years. DHCD issued a request for proposal (RFP) to develop vacant property in Central Park Heights in the area adjacent to CC Jackson Park as the first step in a multi-year initiative. Several nearby parcels have been awarded to developers for creation of new multi-family, semi-detached, and detached housing.

The CC Jackson Park planning process took place during 2018 and 2019. The Enoch Pratt Free Library location was identified at the beginning of the planning process. In June 2018, a series of focus groups, interviews and public meetings were held to incorporate resident feedback. In Fall 2018 the Initial concepts were shared at a community meeting and an open house to gather input and feedback. Final concept plan was presented at the February PCDA meeting for feedback and comments in February 2019. Since that time, public meetings and community engagement has continued.

CC Jackson Park is zoned Open Space (OS). OS zoning allows cultural facilities (the library) via conditional use approval by the Board of Municipal Zoning Appeals (BMZA). Parking in OS zoning is conditional by Ordinance, but cultural facilities are required to provide parking at a rate “1 space per 4,000 gross SF area” (Article 32, Table 16-406A). The proposed library is required to provide only 5 spaces, however zoning permits to up to 10 spaces (Article 32 -§16-205). 10 spaces are insufficient for the Library as well as increased park programming. The request for 47 proposed parking spaces for shared use by the library and park patrons is consistent with the

needs of staff and patrons at similar libraries throughout the City. The proposed parking lot will augment access to the Library, Rec & Parks programming, community sponsored events, and general park usage. Overflow parking is needed during off hours, weekends when large neighborhood and citywide events and park activities take place- the Rec Center's existing parking lot is insufficient. A new pavilion rental will also draw use of the new parking lot. The parking lot will be closed to the public daily after the library hours when there are no library, rec or park scheduled activities.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – *Zoning*:

(b) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

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

In conferring with staff of the Department of Recreation and Parks, Planning staff have determined that the proposed parking lot would not be detrimental to or endanger public health, safety, or welfare. The plans for the proposed parking lot completed review by the Urban Design and Architecture Advisory Panel on August 24, 2023. The plans for the parking lot were also reviewed by the Site Plan Review Committee (SPRC) during review of CC Jackson Park on November 9, 2022. The library building will be reviewed separately in the near future and is in the process of being scheduled. The proposed parking lot is within the Park Heights Urban Renewal Plan area and complies with the URP requirements. The authorization would not be contrary to the public interest, as it would be part of an array of on-site physical changes designed to encourage greater and more varied use of the park. As such, the authorization would be in harmony with the purpose and intent of the Zoning Code.

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – *Zoning*:

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property in the vicinity;
- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;

- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

Staff finds that the proposed parking lot is appropriate for the site, given the other improvements being planned in CC Jackson Park that would be served by the parking facility. Given its specific location, the parking lot area is not readily usable for recreation buildings or other large structures. The spaces between the proposed parking area and Woodland Avenue are being landscaped in ways that are complementary to other initiatives to enhance the Park Heights major redevelopment area. Given these mitigations, there are no anticipated adverse impacts on utilities, neighborhoods, community organizations, or cultural landmarks in the parking lot's vicinity.

Equity:

Impact:

- *How might the proposal impact the surrounding community in the short or long term?*
The proposed parking lot is intended to serve desirable uses of park, recreation, and library facilities in Park Heights. The project would likely also create increases in traffic and noise during the construction phase, but the long-term impact to the neighborhood is overwhelmingly positive for a community that has been historically disinvested. The project team also worked to reorient the parking to have less impact on residents and prioritized locating the library entrance nearer to the bus stop at the corner of Park Heights and Woodland Avenues.
- *How would this proposal impact existing patterns of inequity that persist in Baltimore?*
This proposal directly impacts patterns of inequity by investing in a neighborhood that has historically been disinvested.

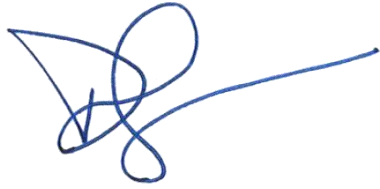
Engagement:

- *Has the community been meaningfully engaged in discussing this proposal? How are residents who have been historically excluded from planning processes being authentically included in the planning of the proposed policy or project?*
The community has been participating in the design of the park and library since 2019. A variety of open meetings and focus groups helped to inform the final design.

Internal Operations:

- *This may include staff commentary regarding impact on staff time or resources devoted to a project.* While the project has taken years to complete, Planning staff has not been disproportionately impacted and resources devoted to this item are typical of other Conditional Use by Ordinance items.

Notifications: Park Heights Renaissance, CHAI, City Councilmembers, Pimlico Good Neighbors, Parklane, Arlington, Woodmere, Cylburn, Levindale-Sunset, Pimlico Terrace, Plantation Park Heights, Candy Stripe, several faith leaders, NHP Foundation, and PCDA Members were notified of this item on April 24, 2024.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Chris Ryer
Director