

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #14-0428 / REZONING 2051 SOUTH HANOVER STREET		

TO

DATE:

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

October 3, 2014

At its regular meeting of October 2nd, 2014, the Planning Commission considered City Council Bill #14-0428, for the purpose of changing the zoning for a portion of the property known as 2051 South Hanover Street, from the B-3-2 Zoning District to the M-3 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #14-0428 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 #14-0428 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. Kaliope 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. Melissa Krafchik, PABC
 Ms. Natawna Austin, Council Services
 Ms. Deatra Eggleston, Dept. of Real Estate



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

October 2, 2014

REQUEST: City Council Bill #14-0428/Rezoning – 2051 South Hanover Street

For the purpose of changing the zoning for a portion of the property known as 2051 South Hanover Street, as outlined in red on the accompanying plat, from the B-3-2 Zoning District to the M-3 Zoning District.

RECOMMENDATION: Approval

STAFF: Alexandra Hoffman

COMPREHENSIVE PLANNER: Alexandra Hoffman (Downtown South District)

PETITIONER: The Administration on behalf of the Department of Transportation

OWNER(S): Mayor & City Council

SITE AREA

The subject property, 2051 South Hanover Street, is a 1.56-acre lot located at the northeast corner of Hanover and McComas Streets, partially underneath the elevated I-95 expressway. The expressway serves as the boundary between the residential South Baltimore neighborhood to the north and the industrially-zoned Port Covington peninsula to the south.

HISTORY

The subject property presently has split B-3-2/M-3 zoning which dates to the City's last comprehensive rezoning effort in 1971, prior to the construction of the elevated I-95 expressway.

ANALYSIS

City Council Bill #14-0428/Rezoning – 2051 South Hanover Street would change the zoning for the subject property from split B-3-2/M-3 to solely an M-3 zoning classification (see attached plat).

This City Council Bill is consistent with the Planning Department's recommendation for heavy industrial zoning for the site under TransForm Baltimore, the draft new Zoning Code (amended and approved by the Planning Commission on September 21, 2013).

Conformity to Comprehensive Master Plan: This City Council Bill is compatible with the Comprehensive Master Plan for Baltimore City, specifically:

LIVE

Goal 1: Build Human and Social Capital by Strengthening Neighborhoods
Objective 2: Strategically Redevelop Vacant Properties throughout the City

EARN

Goal 1: Strengthen Identified Growth Sectors
Objective 1: Retain and Attract Businesses in all Growth Sectors

Maryland Land Use Code – Requirements for Rezoning:

The Maryland Land Use Code requires the Planning Commission 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. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

1. The Plan: See the “Conformity to Comprehensive Master Plan” section, above.
2. The needs of Baltimore City: Allows for expanded industrial opportunities.
3. The needs of the particular neighborhood: Allows for expanded industrial opportunities in a neighborhood where the availability of industrial land has been reduced by redevelopment.

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. Population changes: The population in the area has increased over time as industrial land has been redeveloped for residential use, thus reducing the supply of industrial land in this area as it has become more populous.
2. The availability of public facilities: The property is well-served by streets, utilities, police, and fire.
3. Present and future transportation patterns: The proposed zoning change acknowledges the site’s location under the elevated I-95 expressway which did not exist when the present zoning was assigned.
4. Compatibility with existing and proposed development for the area: The proposed zoning is compatible with the site’s location under the elevated I-95 expressway and is consistent with the existing zoning for both the majority of the subject property and the adjacent properties to the north and 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: See "Conformity to Comprehensive Master Plan" section, above.

The City Council may grant the amendment to change the zoning classification based on a finding that there was: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification. This bill would qualify as a substantial change due to the construction of the elevated I-95 expressway above the subject property since the commercial zoning classification was assigned as part of the City's last comprehensive rezoning effort in 1971.

Petitioner Request: This City Council Bill was introduced by the Administration on behalf of the Department of Transportation to facilitate the relocation of L & J Recycling. L & J Recycling presently leases space in the Calverton Yard, which is needed for the construction of the Red Line. The M-3 zoning classification allows recycling as a conditional use, so if this City Council Bill is adopted the applicant would request approval of the use from the Board of Municipal Zoning Appeals.

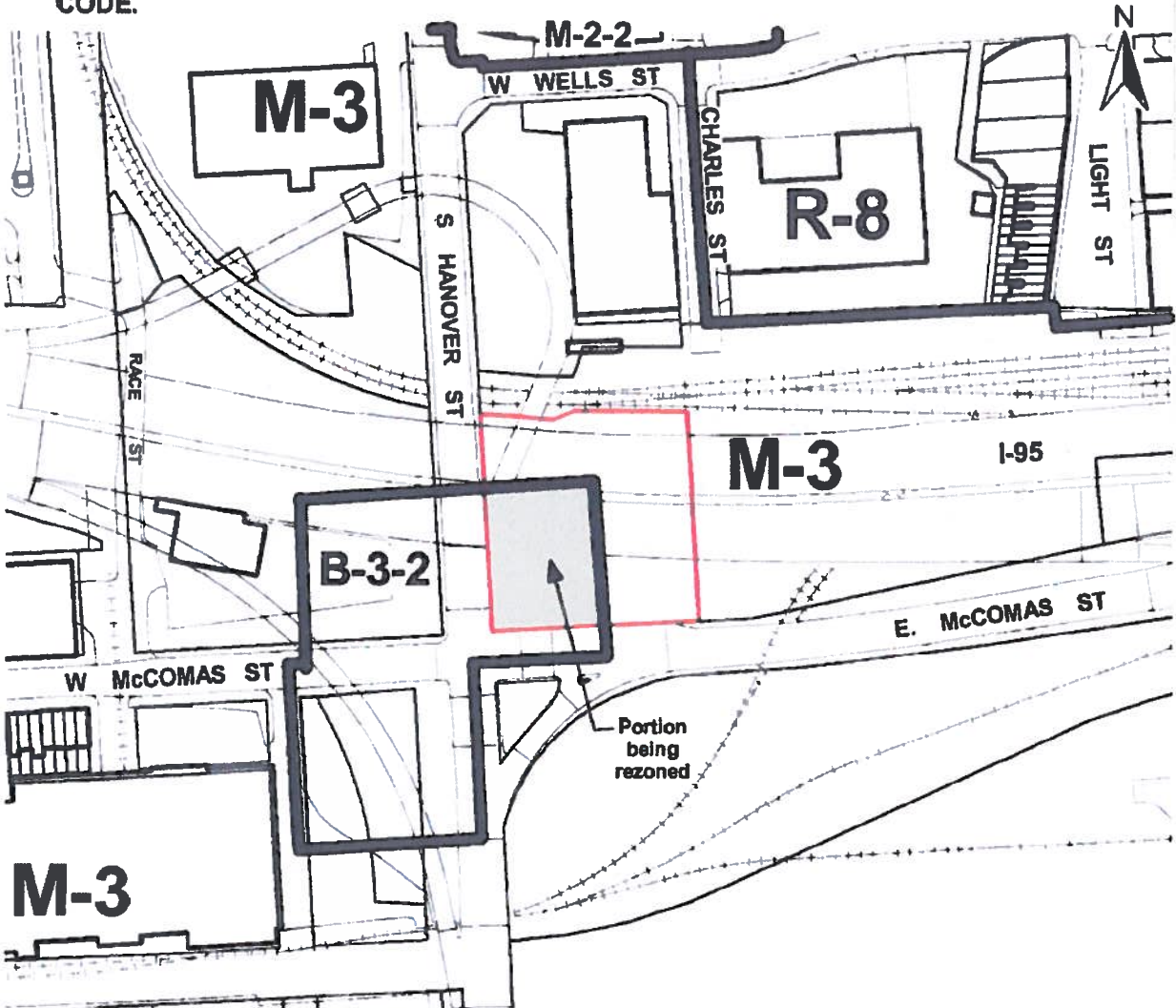
COMMUNITY NOTIFICATION

The South Baltimore Business Alliance, the South Baltimore Neighborhood Association, and the Baltimore Industrial Group have been notified of the requested action.



Thomas J. Stosur
Director

SHEET NO. 76 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE.



1" = 200'

Note:

In Connection With Property Known As
No. 2051 SOUTH HANOVER STREET.
The Applicant Wishes To Request The
Rezoning Of A Portion Of The Aforementioned
Property From B-3-2 Zoning to M-3 Zoning,
As Shaded Above.

WARD - 23 SECTION - 10 BLOCK - 1036 LOT - 12

MAYOR

PRESIDENT CITY COUNCIL

428

RPE 7-29-14