

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #16-0734 / REZONING- CERTAIN PROPERTIES IN THE REMINGTON CENTRAL BUSINESS AREA

CITY of
BALTIMORE
MEMO



TO

DATE:

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

September 20, 2016

At its regular meeting of September 15, 2016, the Planning Commission considered City Council Bill #16-0734, for the purpose of changing the zoning for certain properties in the Remington Central Business Area from the R-7, R-8 and R-9 Zoning Districts to the B-1-2 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #16-0734 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 which was "Approval and Adoption of the Staff Report, including the Staff's proposed finding that the rezoning of each of the properties at issue in CC Bill 16-0734 is in the public interest and not solely for the interest of the applicant.". The Planning Commission recommends that City Council Bill #16-0734 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
 Mr. Patrick Fleming, DOT
 Ms. Elena DiPietro, Law Dept.
 Ms. Melissa Krafchik, PABC
 Ms. Natawna Austin, Council Services
 Mr. Ryan Flanigan, Greater Remington Improvement Association, Inc.



*Stephanie Rawlings-
Blake
Mayor*

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



*Thomas J. Stosur
Director*

September 15, 2016

REQUEST: City Council Bill #16-0734/ Rezoning – Certain Properties in the Remington Central Business Area

RECOMMENDATION: Approval and Adoption of the Staff Report, including the Staff's proposed finding that the rezoning of each of the properties at issue in CC Bill 16-0734 is in the public interest and not solely for the interest of the applicant.

STAFF: Tamara Woods and Reni Lawal

PETITIONER(S): Greater Remington Improvement Association

OWNER: Multiple Owners

SITE/GENERAL AREA

General Area:

The study and proposed multiple property rezoning is located in the Remington neighborhood of North Baltimore. The neighborhood has a mix of residential, business and industrial zoning. The neighborhood contains a mix of uses and development types, including two and three-story rowhouses, multi-family buildings, offices, restaurants, auto servicing garages, as well as, other industrial uses.

Site Conditions:

The Planning Commission previously reviewed and adopted a Zoning and Land Use Study dated August 6, 2015 for the Remington neighborhood, attached as Appendix 1. The proposed rezoning is for multiple properties, 28th Street and south, that were purpose-built to include a commercial use. The lots are improved with existing structures that historically were built to have a ground floor commercial use and a residential unit above. The properties are on Huntington Avenue, Lorraine Avenue, West 27th Street and Miles Avenue.

HISTORY

- On August 6, 2015, the Planning Commission Adopted the Zoning and Land Use Study in the Remington Central Business Area.
- On November 9, 2015, the Mayor signed City Council Bill #15-0542 Rezoning- Multiple Properties in the Remington Central Business Area into law.

CONFORMITY TO PLANS

The City's Comprehensive Master Plan (the "CMP") was last reviewed and revised on July 9, 2009. This document is not so specific as to contain recommendations for the land use or zoning of properties in the Remington neighborhood. However, the proposed rezoning is consistent with the general goals and objectives of the Baltimore City Comprehensive Master Plan, specifically:

- LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods; Objective 2: Strategically Redevelop Vacant Properties throughout the City, page 72 of the CMP. Rezoning the subject properties from residential to commercial will assist the neighborhood's ability to reclaim vacant, partially vacant, or at risk of being vacant or partially vacant properties, stem the risk of blight from these under-utilized properties, and satisfy a need for additional small-scale commercial uses in an up and coming area.
- LIVE Goal 2: Elevate the Design and Quality of the City's Built Environment; Objective 3: Promote Transit Oriented Development (TOD) and Mixed-use Development to Reinforce Neighborhood Centers and Main Streets, page 73 of the CMP. These proposed rezonings would not constitute transit-oriented development. However, by rezoning twelve corner properties along what are otherwise residentially-zoned blocks, the proposal would create mixed-use with residential zoning category in a manner similar to the way in which the examples of recent development in Remington to be discussed later in this report, including the Miller's Court and Remington Row projects, have changed the character of the neighborhood to a place where residential, commercial, and at times, office uses are more closely connected and combined.
- PLAY Goal 2: Improve Nightlife, Entertainment and Recreation Experiences for Residents and Visitors; Objective 2: Promote Unique Retail Venues as Shopping and Tourist Destinations, pages 129-130 of the CMP. Although we do not believe that the rezoning of these twelve properties will result in a true form of shopping or tourist destination in that the proposed commercial uses as small shops or restaurants will be small-scale, the proposal will promote the kind of eclectic and walkable retail that previously spurred the redevelopment that had taken place in the Hampden neighborhood.

ANALYSIS

Background

On November 9, 2015, the Mayor signed into law as Ordinance 15-426 what had been introduced as City Council Bill #15-0542 Rezoning- Multiple Properties in the Remington Central Business Area. This bill was for the same rezoning of multiple properties as in current City Council Bill #16-0734 with the exception of 2600 and 2602 Huntingdon Avenue (these were amended out before Ord. 15-426 was enacted). Two opponents to Ord. 15-426 filed a Petition for Judicial Review in Case No. 24-C-15-006204 in the Circuit Court challenging the validity of Ordinance 15-426. On July 8, 2016, the Honorable Jeffery M. Geller signed an Order reversing and remanding the matter to both the Planning Commission and the Board of Municipal Zoning Appeals (the “BMZA”) make certain additional findings, and to the Baltimore City Council to make certain additional findings. A copy of the Order is attached below as Appendix 2. The City was prepared to undertake remand proceedings so as to make the additional findings ordered by the Circuit Court when the opponents noted an appeal of the case to the Court of Special Appeals.

The applicant for current CC Bill 16-0734, the Greater Remington Improvement Association (“GRIA”), with the support of the owners of the twelve properties, desiring to move forward now, has recently made a new application for the piecemeal rezoning of the same twelve properties. Pursuant to Section 10-304 (3) of the Land Use Article (“LU”) of the Md. Code, “the City Council may not allow the filing of an application for a reclassification of a tract or parcel of land for which a reclassification has been denied by the City Council on the merits in the 12 months before the date of the application.” Similarly, under Section 16-201 (b) of the Baltimore City Zoning Code (the “Zoning Code”), “a bill proposing a change in the zoning classification of any property may not be introduced at any time within 12 months after the City Council has denied the same reclassification of the same property on the merits.” Because the City Council did not deny the earlier application for the rezoning of the twelve properties in CC Bill 15-0542, these provisions of the LU Article and the Zoning Code do not constitute a prohibition with regard to this current application for the piecemeal rezoning of these properties in CC Bill 16-0734.

Nonetheless, the Planning Commission, the BMZA, and the City Council are required to abide by the requirements as set forth in Judge Geller’s Order in Case No. 24-C-15-006204 as action is taken on Bill 16-0734. To fulfill this obligation, the Planning Department has undertaken additional research and analysis beyond that conducted previously for CC Bill 15-0542. In particular, we have added the following:

A) We now include below a specific proposed finding for the Planning Commission to adopt under Section 16-305 (b) of the Zoning Code that the adoption of the twelve rezoning authorizations as proposed in the new Bill are in the public interest and not solely for the interest of the applicant.

B) We also address more completely for the benefit of the City Council the considerations the Council will be required to address under Section 10-304 (b) (1) of the Land Use Article when the Land Use and Transportation Committee considers CC Bill 16-0734.

C) Finally, also for the benefit of the City Council, we address the issue of substantial change in the character of the neighborhood under Section 10-304 (b) (2) of the LU Article so as to justify the rezoning of the twelve properties by considering this issue from the time of the last comprehensive rezoning of these properties in 1971, which is the relevant framework to consider change in the neighborhood as noted in the case of *Prince George's County v. Zimmer*, 444 Md. 490 (2015).

City Council Bill #16-0734

City Council Bill #16-0734 is for a proposed multiple property rezoning. The existing properties are zoned R-7, R-8 or R-9 and are all proposed to be rezoned to B-1-2. They are located in the southern portion of the Remington neighborhood at 28th Street or south. The bill does not include any parcels above 28th Street.

In completing its analysis, the Department of Planning Staff not only studied the request based on the Maryland Land Use Article and the Baltimore City Zoning Code, but also the character of the neighborhood and the proposed zoning category. As stated previously, the zoning and land use study showed that the neighborhood has a wide mix of zoning categories and land uses throughout the neighborhood. The residential zones are high density and are characterized by a dense rowhouse block configuration with groups often ending with corner store properties. Traditionally these were occupied with businesses on the ground floor and residences above. If these properties are residentially zoned, operating businesses are considered non-conforming uses. The following is the analysis for each parcel in the rezoning bill of the relevant sections of the Maryland Land Use Article and Baltimore City Zoning Code.

2623 Huntingdon Avenue

2623 Huntingdon Ave is a 2623 ft.² parcel that sits at the corner of Huntingdon Ave and W. Lorraine St. It is improved with 1989 ft.² two story structure.

Prior to the 1970s, 2623 Huntingdon Ave. was used as apartments and a commercial space. Since the early 1970s, after the city's last comprehensive zoning in 1971, this property has been used solely for residential purposes, but there have been many appeals over the decades to reestablish a commercial use on the 1st floor.

This property is located one block west of Miller's Court (2009), a redevelopment of a manufacturing building into 40 residences and office space and a half block north of 2600 N. Howard St. (2014), a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater. It is also a short distance from the now stalled 25th Street Station PUD and the Remington Row PUD. The first building of the Remington Row PUD, 2700 Remington Ave., to come online includes over 100 apartments and ground floor retail and office space.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and*
- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. **The needs of Baltimore City**

The proposed B-1-2 zoning district supports the City’s master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. **The needs of the particular neighborhood in the vicinity of the proposed changes**

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

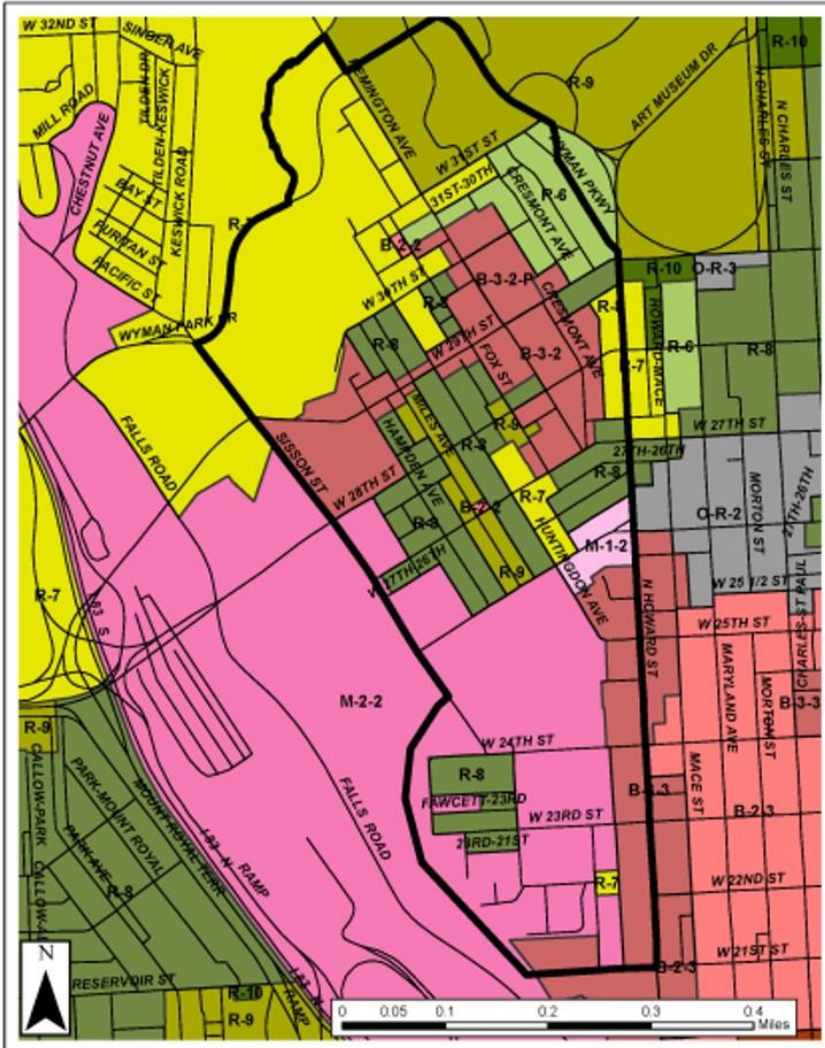
In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

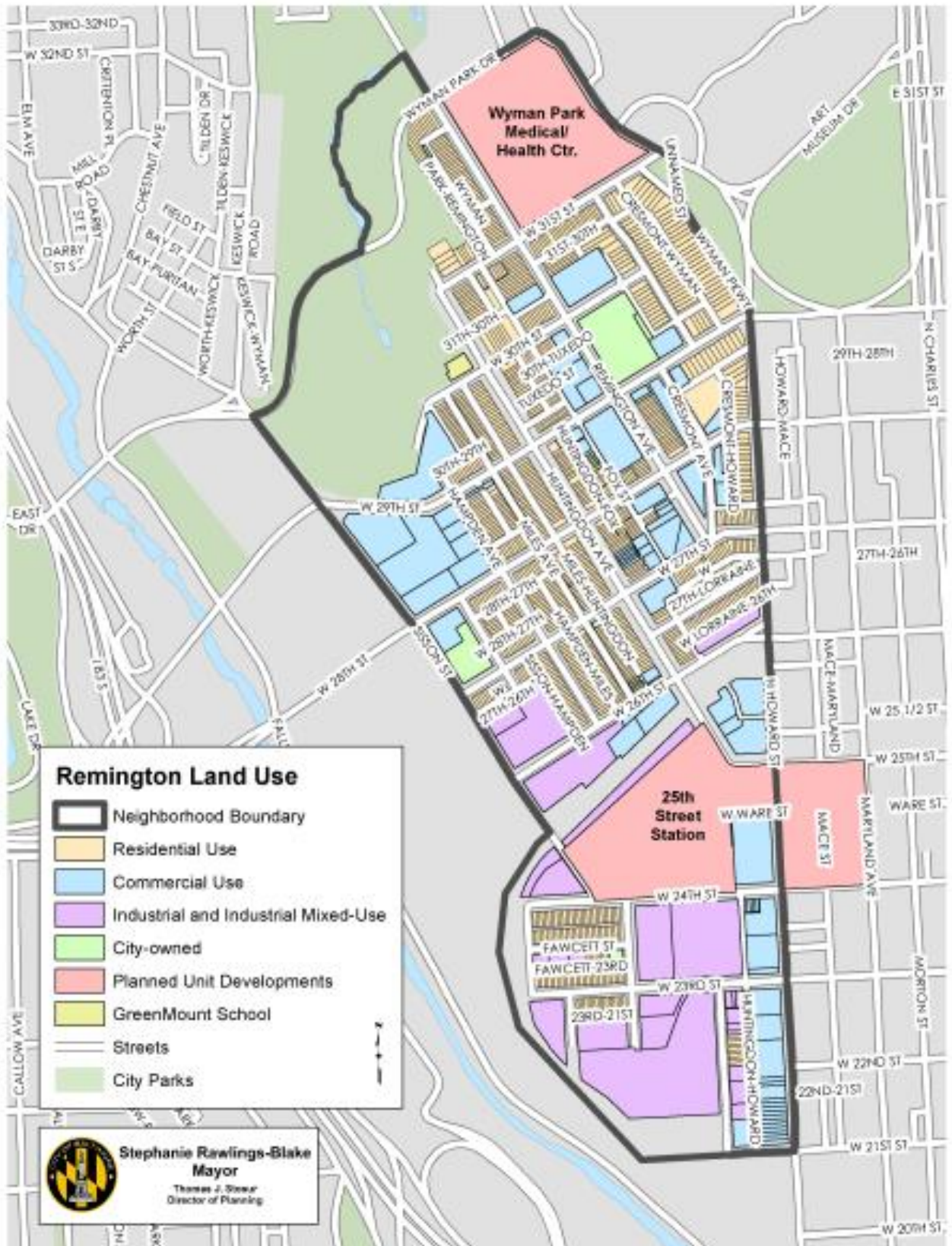
The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.

REMINGTON ZONING



Legend	
Zoning Boundary	
DISTRICT	
[Light Pink Box]	B-1 Neighborhood Business District
[Red Box]	B-2 Community Business District
[Dark Red Box]	B-3 Community Commercial District
[Brown Box]	B-4 Central Business District
[Dark Brown Box]	B-5 Central Commercial District
[Light Pink Box]	M-1 Industrial District
[Pink Box]	M-2 Industrial District
[Purple Box]	M-3 Industrial District
[Grey Box]	O-R Office-Residence District
[Light Green Box]	O-S Open Space
[Yellow Box]	R-1 Single-Family Residence District
[Light Green Box]	R-2 General Residence District
[Yellow Box]	R-3 Single Family Residence District
[Light Green Box]	R-4 General Residence District
[Yellow Box]	R-5 General Residence District
[Light Green Box]	R-6 General Residence District
[Yellow Box]	R-7 General Residence District
[Light Green Box]	R-8 General Residence District
[Yellow Box]	R-9 General Residence District
[Light Green Box]	R-10 General Residence District



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

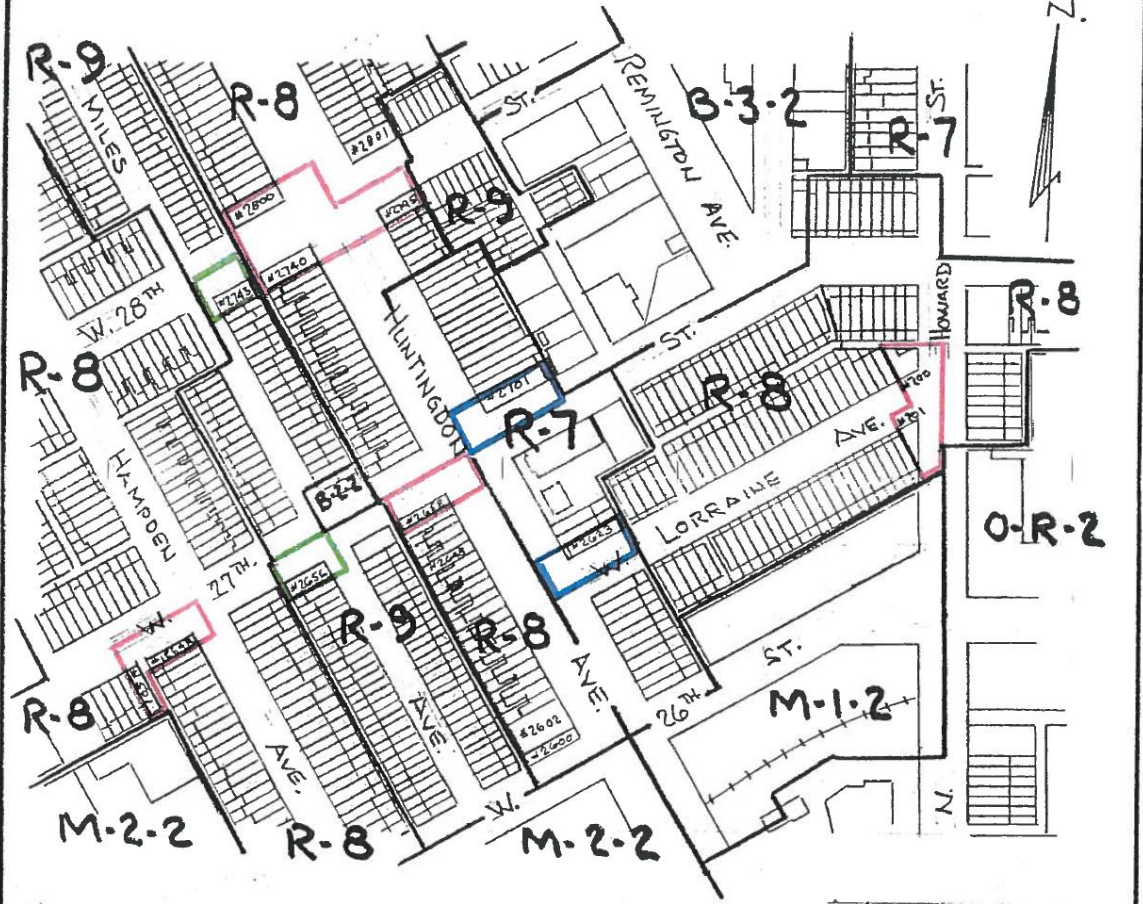
Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



SCALE: 1"=200'

AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

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1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to *use* the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

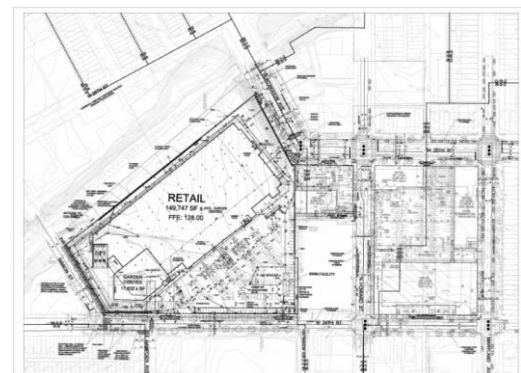


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff's recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.
- (2) The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.
- (3.) The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2701 Huntingdon Avenue

2701 Huntingdon Ave. is a 2250 ft.² parcel at the northeast corner of W. 27th Street and Huntingdon Ave. It is improved by a 2176 ft.² two story structure.

In 1959, this property's listed use was 1 dwelling unit and a grocery store. In 1974 the then owner was allowed to expand the grocery use into the neighboring property at 2703 Huntingdon. This property continues to operate as a non-conforming grocery store.

This property is located one block west of the Remington Row PUD that will infuse the neighborhood with new residents, retail services, and offices for a variety of users. Also nearby is Miller's Court, a former manufacturing building that now houses 40 residences and over 30,000 ft.² of office space and 2600 N. Howard St., a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and*
- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

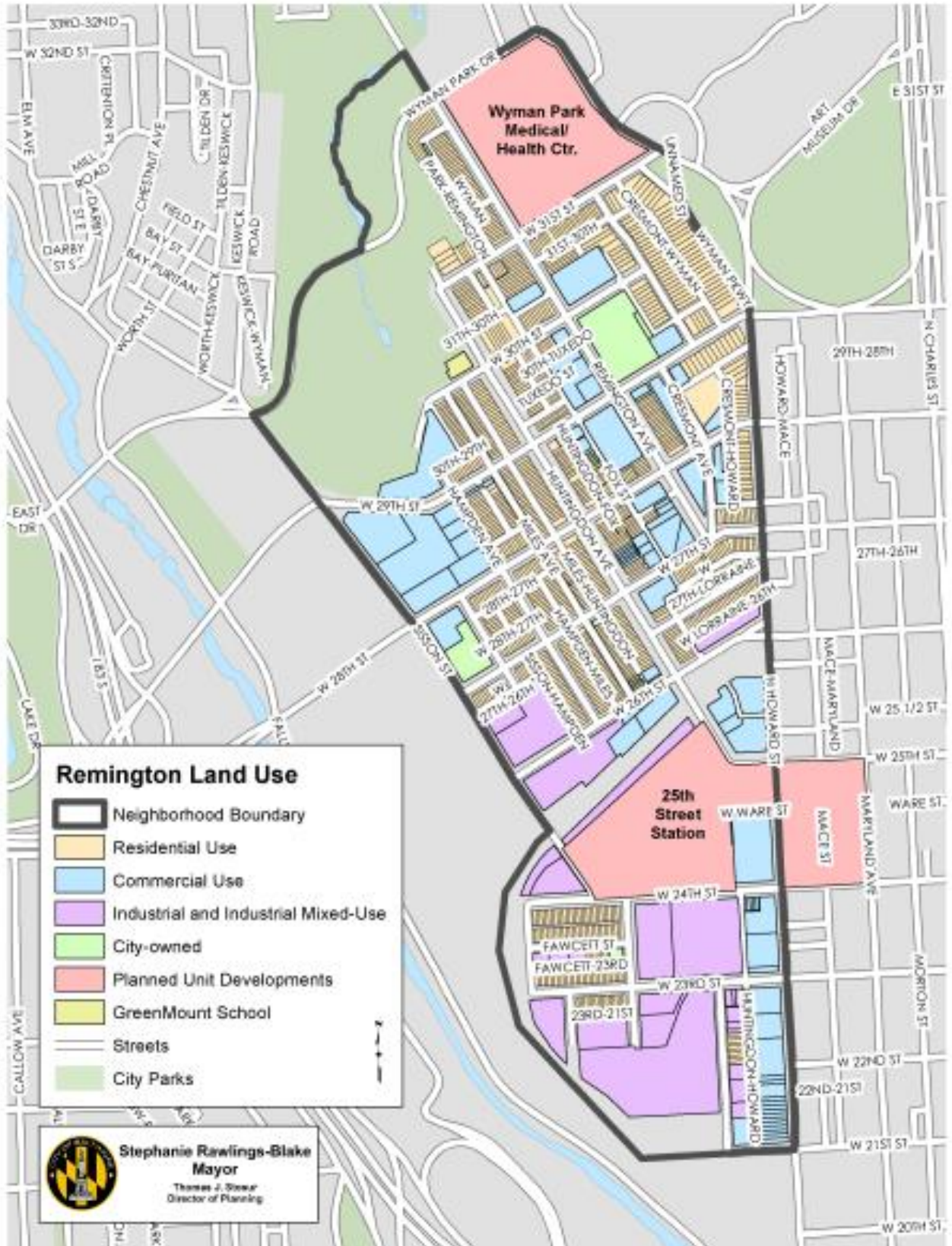
Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

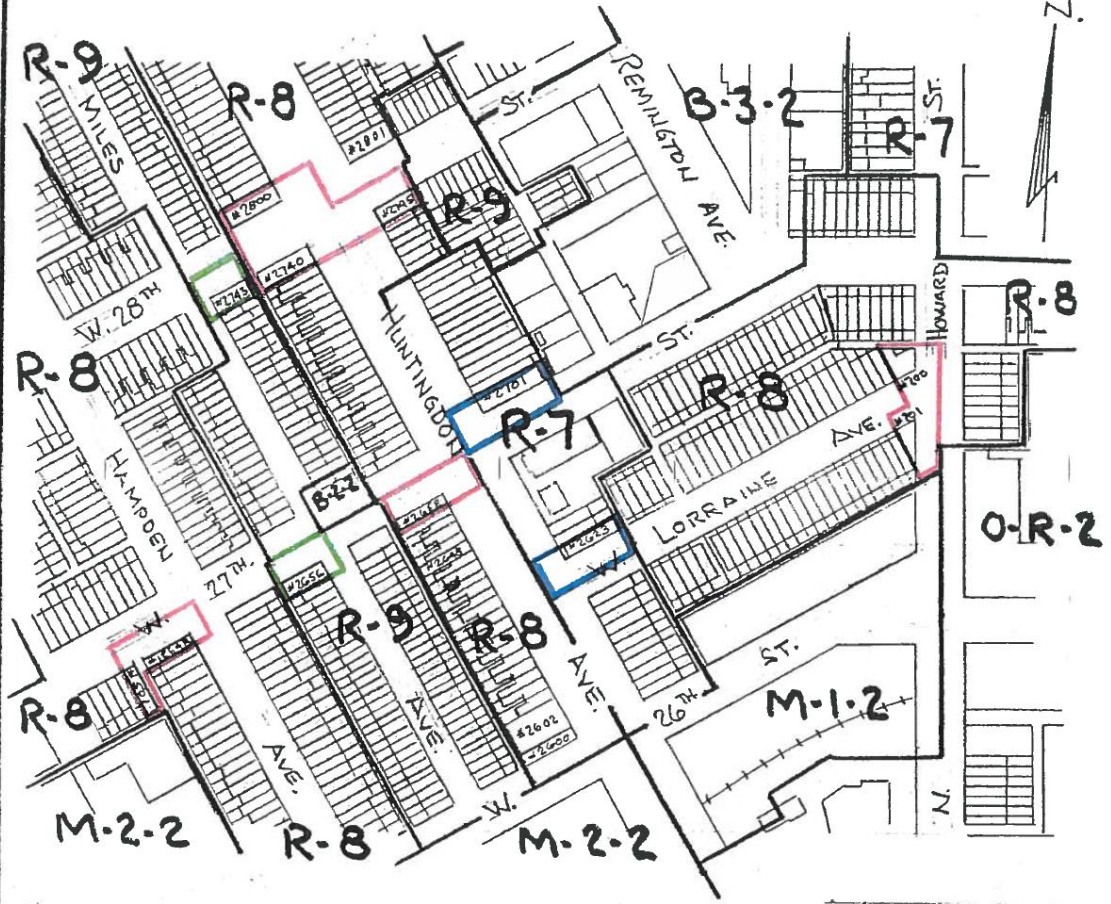
Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

SCALE: 1"=200'

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to *use* the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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.

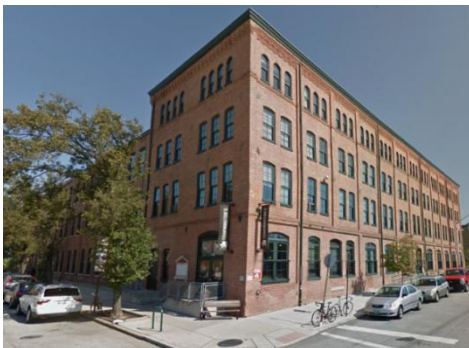
The 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

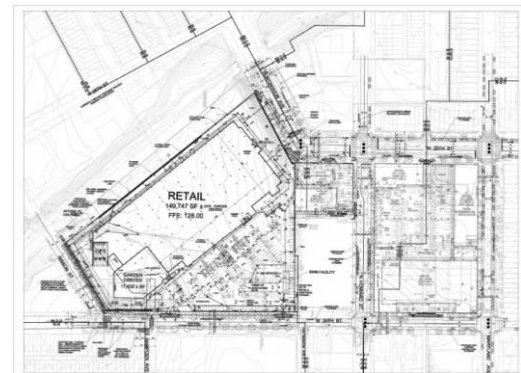


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
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In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff’s recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

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- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

200 West Lorraine Avenue

200 W. Lorraine Ave is a 1300 ft.² parcel that at the corner of W. Lorraine Ave and Howard Street. It houses an 1834 ft.² two story structure.

Dating back to 1931, this property has had various commercial uses; the first documented use being a dairy products store and one dwelling unit. In 1947 it became an egg and poultry store. After the 1971 comprehensive zoning of Baltimore, it continued to operate with commercial uses on the first floor. In 1971 it was a carry out shop and in 1972 a grocery store. In 1982 it was an office and lastly, in 1994 it was a deli and pizza carry out.

This property is located across the street from the Miller's Court redevelopment that houses 40 units and over 30,000 ft.² of office space. It is also one block north of 2600 N. Howard St., a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater. The Remington Row PUD is just around the corner from this property and one of the buildings houses 108 units and ground floor retail. Across the street at Howard and 27th Streets is a non-conforming restaurant and bakery as well.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

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- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

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The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

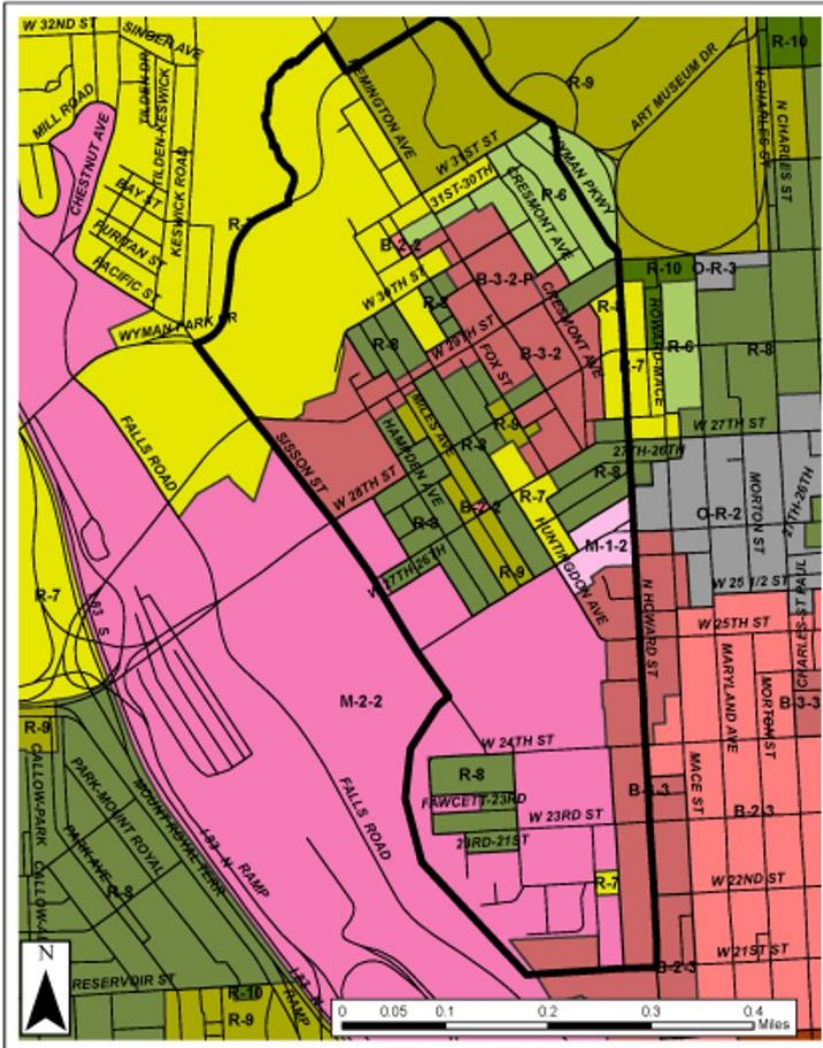
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Delineation of the Neighborhood

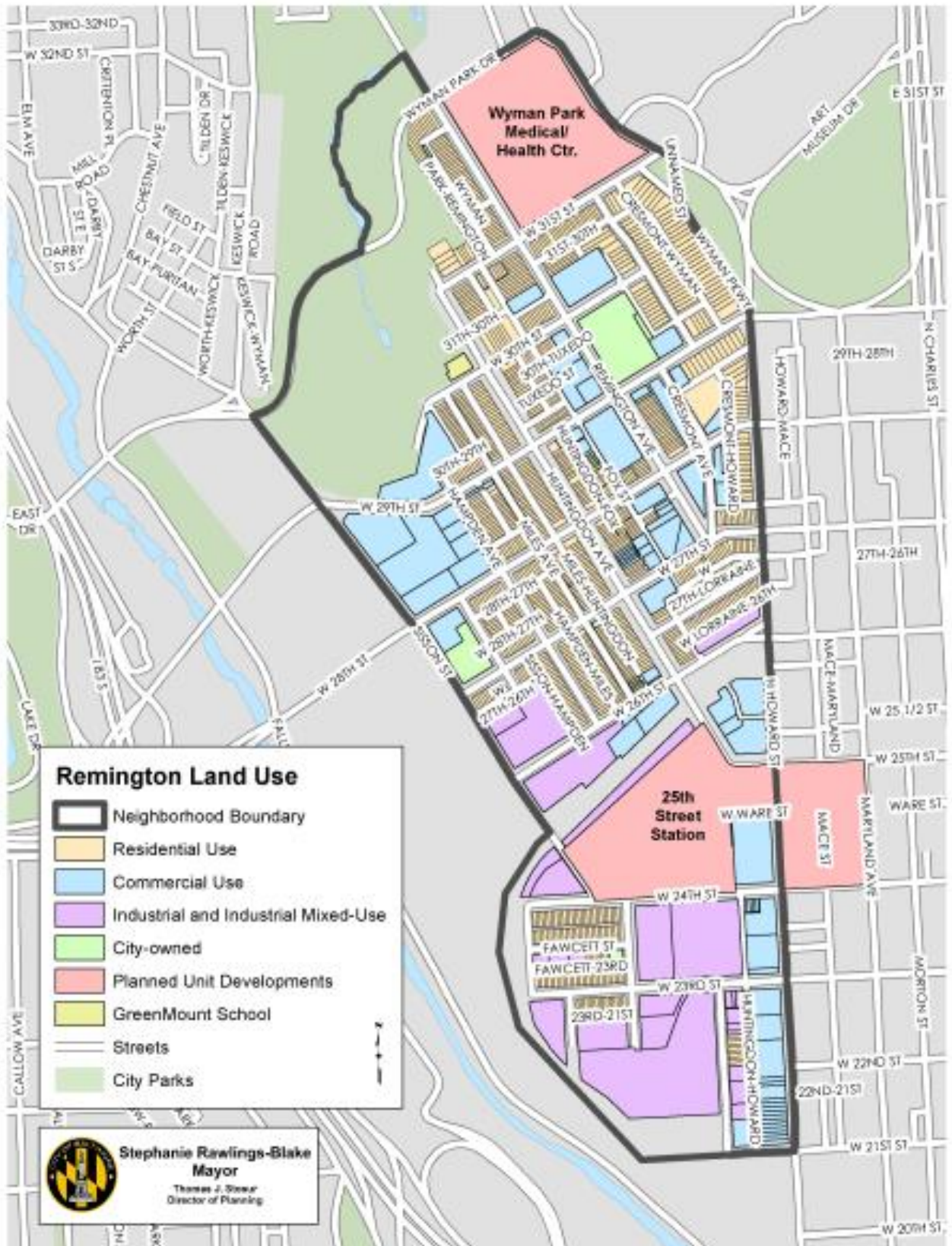
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REMINGTON ZONING



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The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

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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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

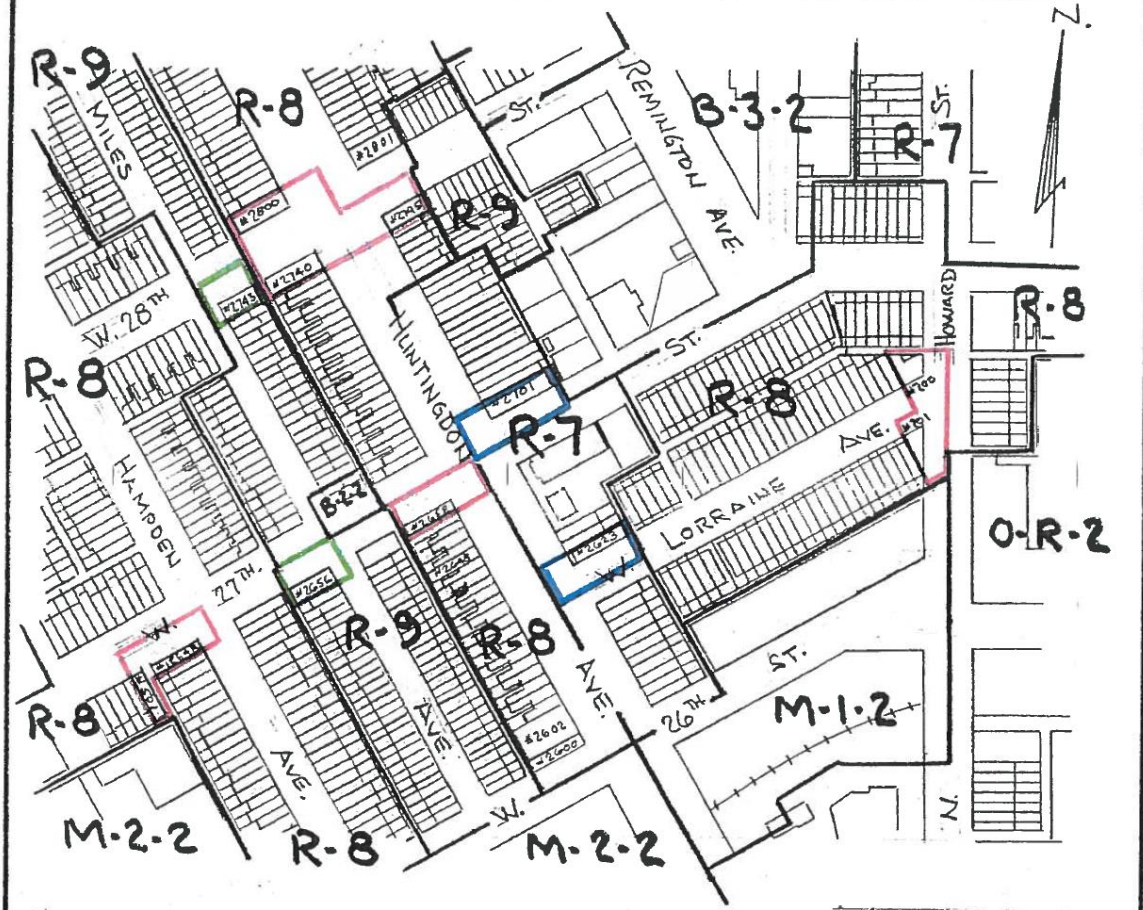
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Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



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<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
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As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to *use* the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

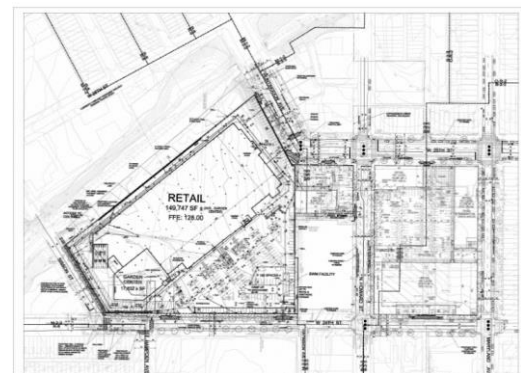


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller’s

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff’s recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.
- (2) The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.
- (3) The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

201 West Lorraine Avenue

201 W. Lorraine Ave is a 1512 ft.² parcel that at the corner of W. Lorraine Ave and Howard Street. It houses a 1214 ft.² two story structure. The oldest land use record for this property dates back to 1984 after the 1971 comprehensive zoning for Baltimore. It was authorized to be used as a non-conforming grocery store. In 1987, it was authorized to continue that use as a non-conforming grocery store.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and

(ii) report their findings and recommendations to the Mayor and City Council.

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small

business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

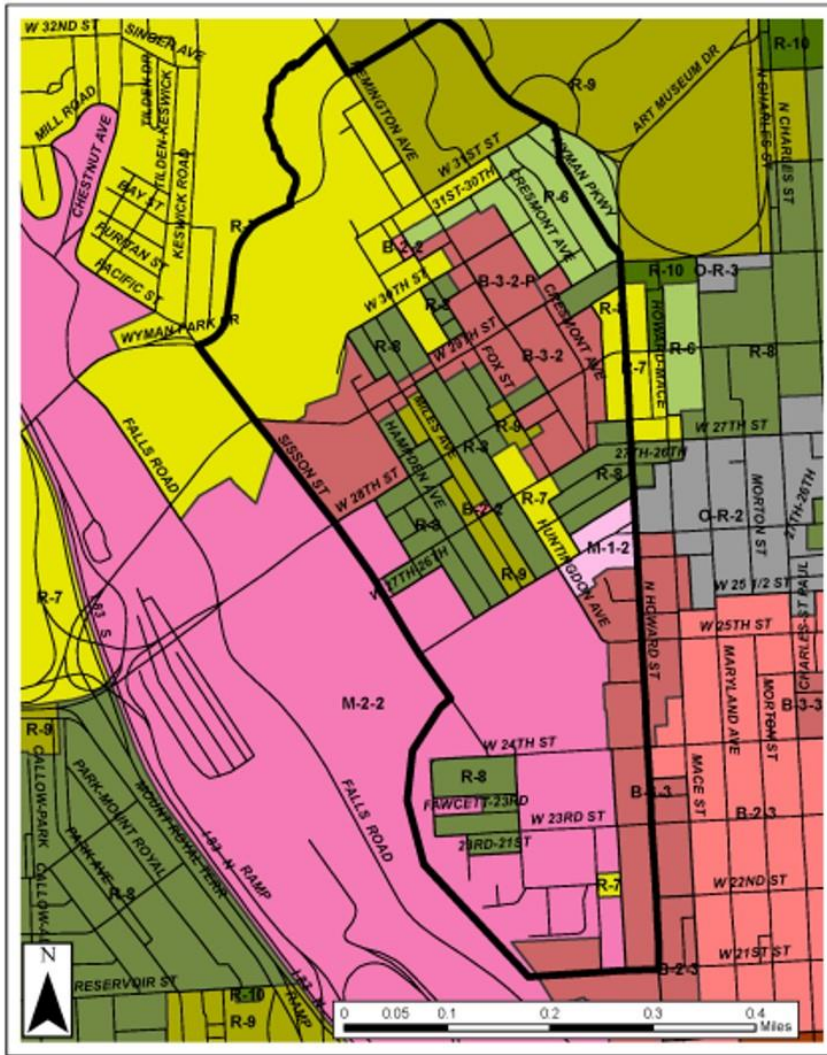
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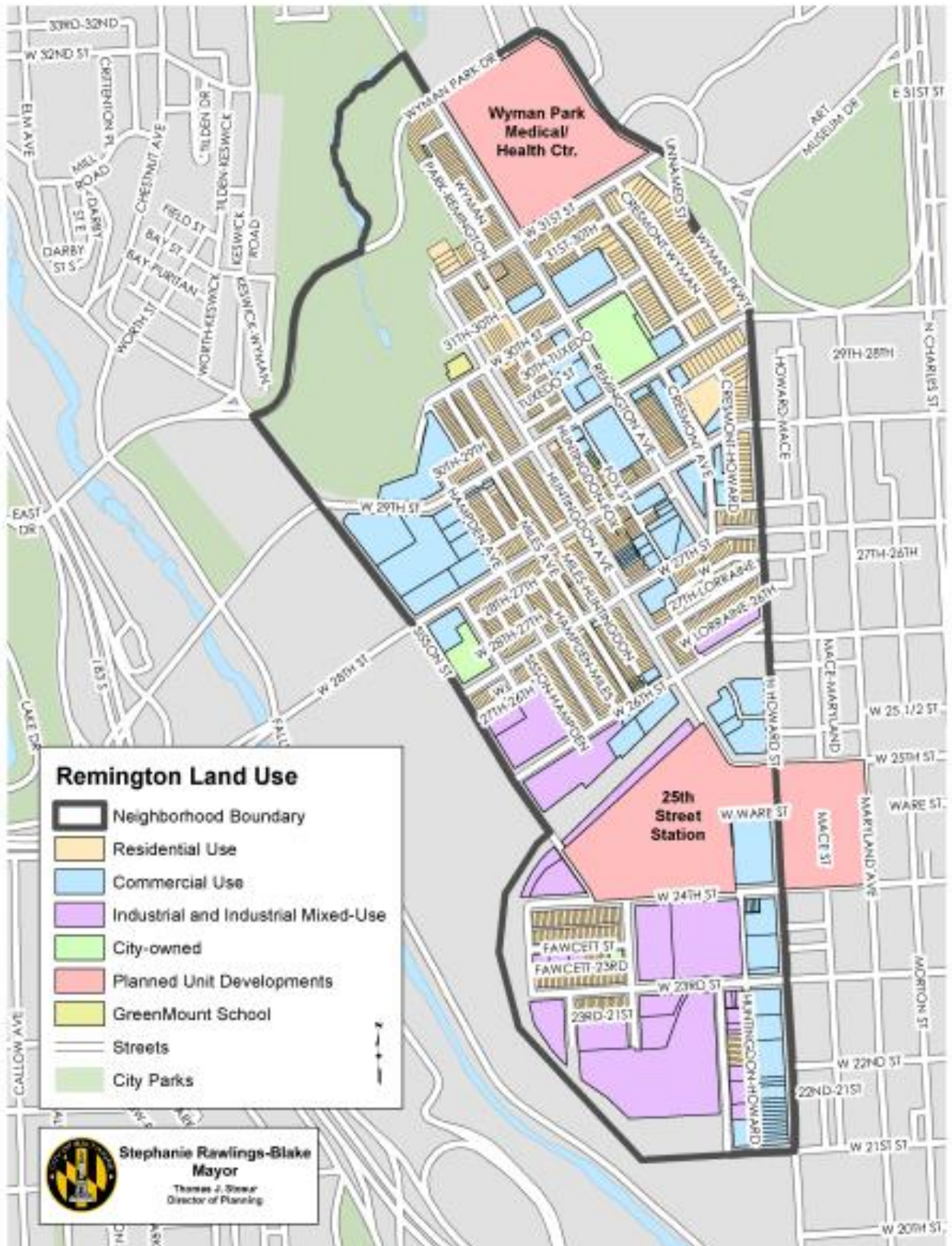
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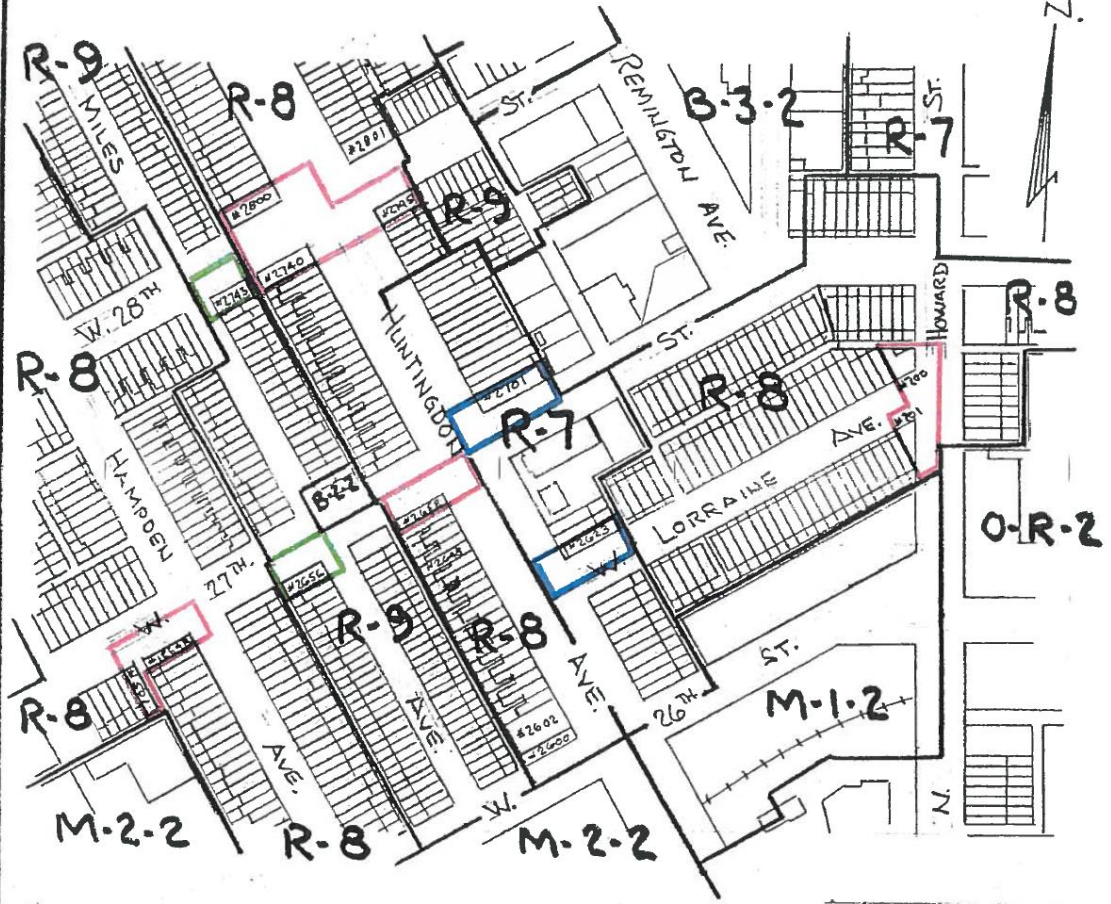
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FOR:
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2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*
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The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to use the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

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Major Projects That Lead to Substantial Change

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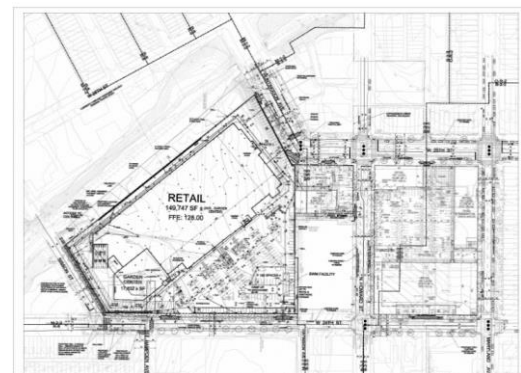


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller’s

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff's recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) **Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.

- (2) **The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.

- (3.) **The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2658 Huntingdon Avenue

2658 Huntingdon Ave. is a 1050 ft.² parcel that sits at the southwest corner of W. 27th Street and Huntingdon Ave. It houses a 2415 ft.² three story structure.

In 1931 as a result of a citywide police survey, this property's uses were identified as one dwelling unit and a drug store. In 1949, it was identified as a store and 1 dwelling unit. A couple of years after the 1971 comprehensive zoning for Baltimore, the 1973 use permit identifies this property as a confectionary store and one dwelling unit.

This property is located one block west of the Remington Row PUD that will infuse the neighborhood with new residents, retail services, and offices for a variety of users. The now stalled 25th Street Station PUD is two blocks south of this location. Also nearby is Miller's Court, a former manufacturing building that now houses 40 residences and over 30,000 ft.² of office space and 2600 N. Howard St., a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and*
- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote

unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

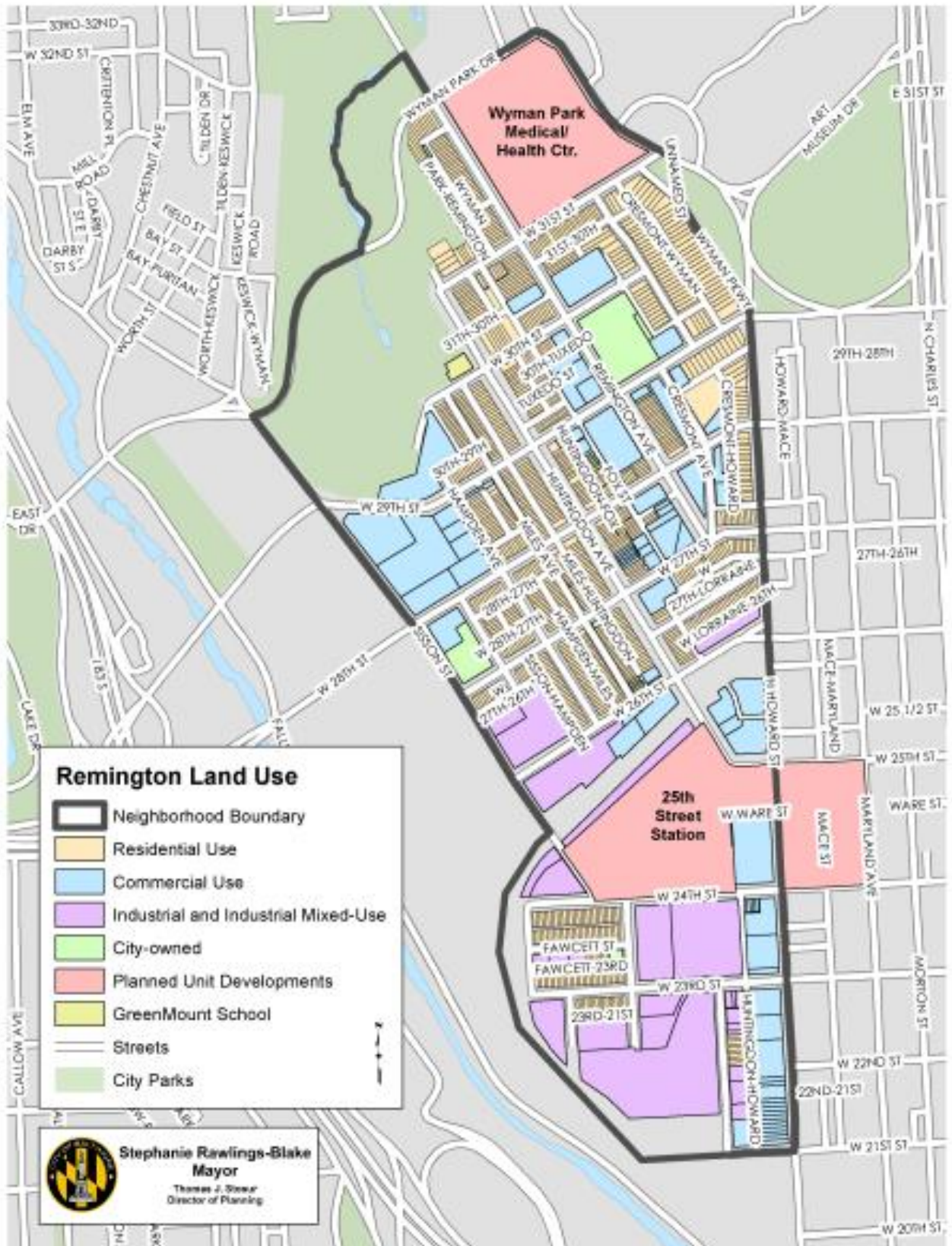
Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

SCALE: 1"=200'

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
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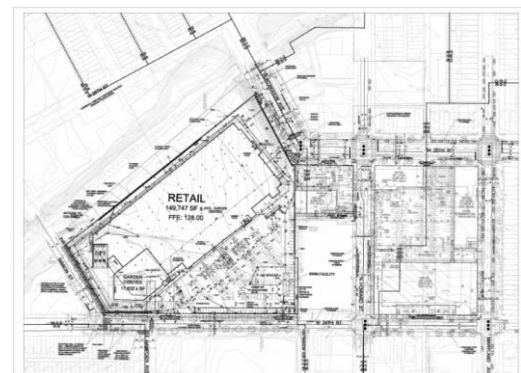


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- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

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- (4) 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.*

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Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
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2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2740 Huntingdon Avenue

2740 Huntingdon Ave. is a 2100 ft.² parcel at the southwest corner of W. 28th Street and Huntingdon Ave. 28th Street is a major thoroughfare in the Remington neighborhood. The two story structure on this parcel is 2978 ft.².

The oldest record of the use of this property dates back to 1947 where it list the uses as a tavern and dwelling unit. In 1947, the building was approved to be expanded with a rear addition. Even after the 1971 comprehensive zoning for Baltimore, this property has had non-conforming uses including a carry-out/restaurant in 2002 and continued through 2005 when the owner changed.

This property is located one block west of the Remington Row PUD that will infuse the neighborhood with new residents, retail services, and offices for a variety of users. The now stalled 25th Street Station PUD is three blocks south of this location. Also nearby is Miller's Court, a former manufacturing building that now houses 40 residences and over 30,000 ft.² of office space and 2600 N. Howard St., a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and*
- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

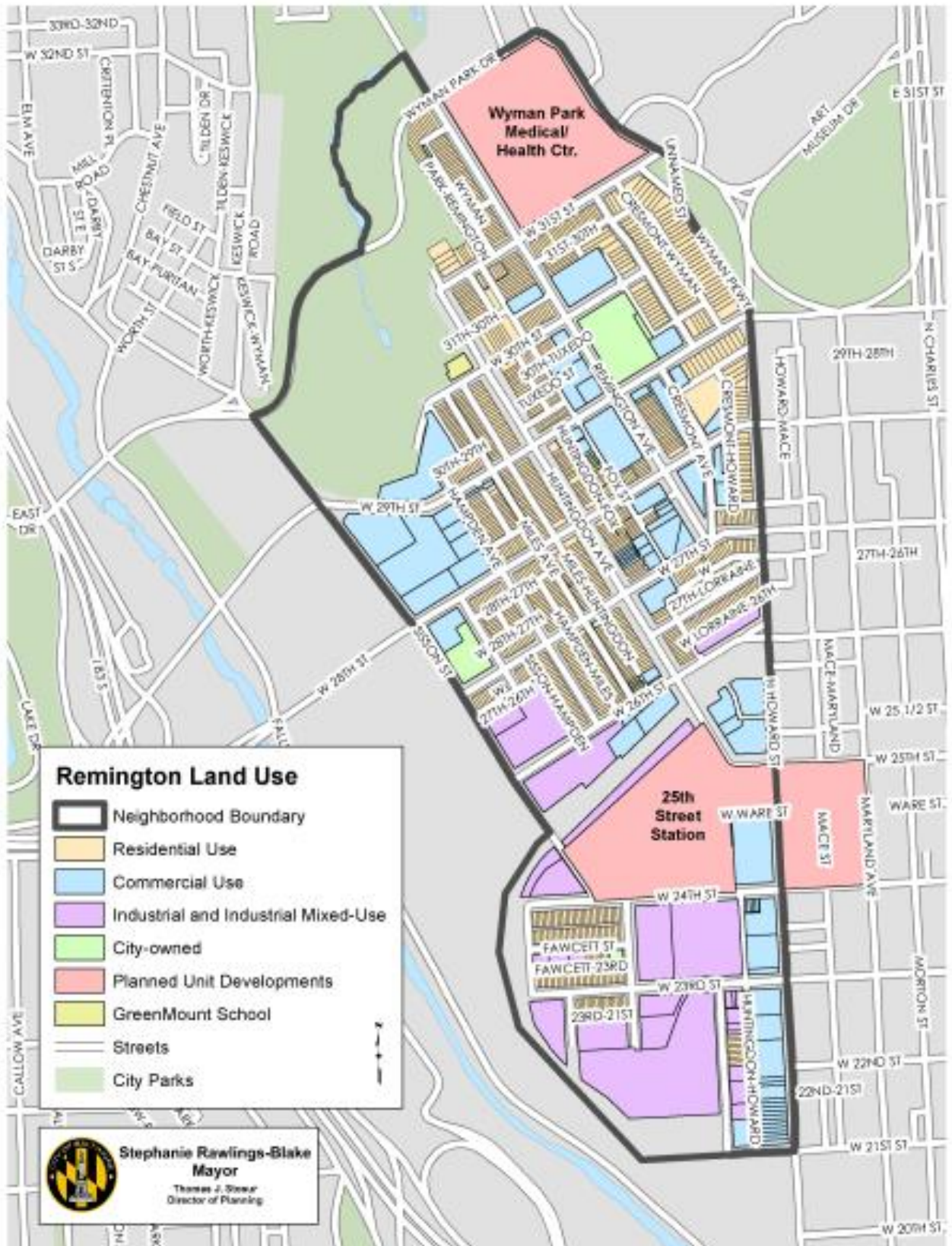
Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

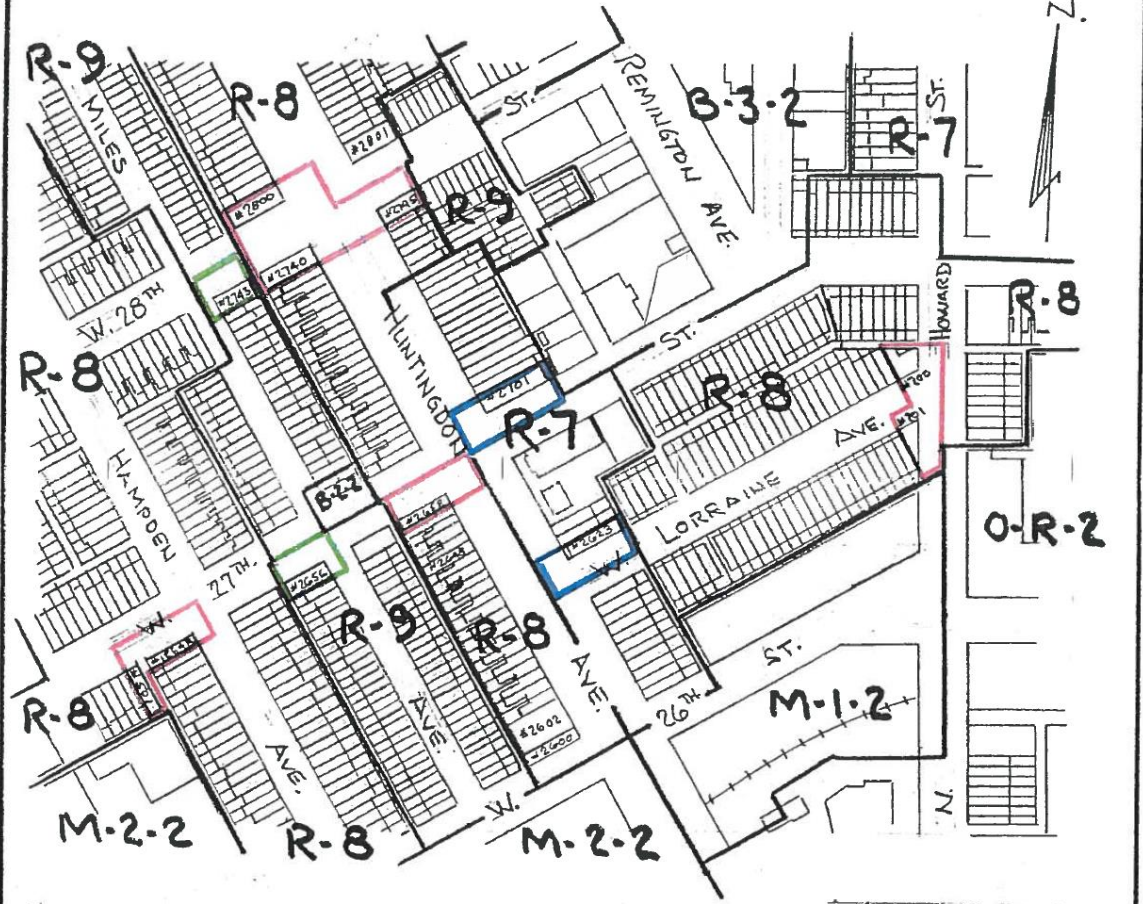
Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

SCALE: 1"=200'

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to use the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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.

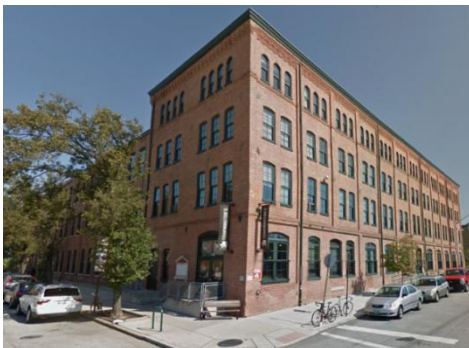
The 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

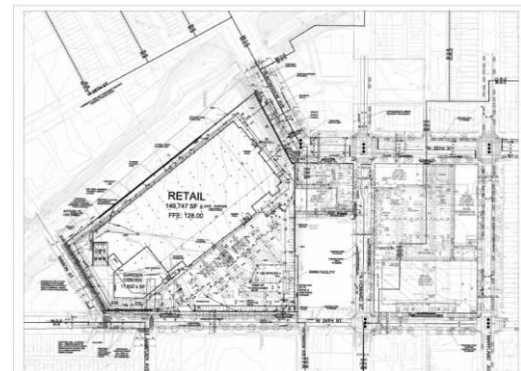


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2745 Huntingdon Avenue

2745 Huntingdon Ave. is a 1500 ft.² parcel at the southeast corner of W. 28th Street and Huntingdon Ave. 28th Street is a major thoroughfare in Remington. The two story structure encompasses 2136 ft.².

The oldest use record for this property dates back to 1967 when it was being used as a tire shop and a dwelling unit. In 1982 and 1988, years after the comprehensive zoning for Baltimore, this property continued to be used for the sale and storage of tires. In 1997 a permit was filed to consolidate the 2745 Huntingdon with the neighboring parcel, remove the dwelling unit and use the entire property for a retail tire service store.

This property is located one block west of the Remington Row PUD that will infuse the neighborhood with new residents, retail services, and offices for a variety of users. The now stalled 25th Street Station PUD is three blocks south of this location. Also nearby is Miller's Court, a former manufacturing building that now houses 40 residences and over 30,000 ft.² of office space and 2600 N. Howard St., a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater.

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Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) study the proposed changes in relation to:

- 1. the plan;*
 - 2. the needs of Baltimore City; and*
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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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

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The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

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The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

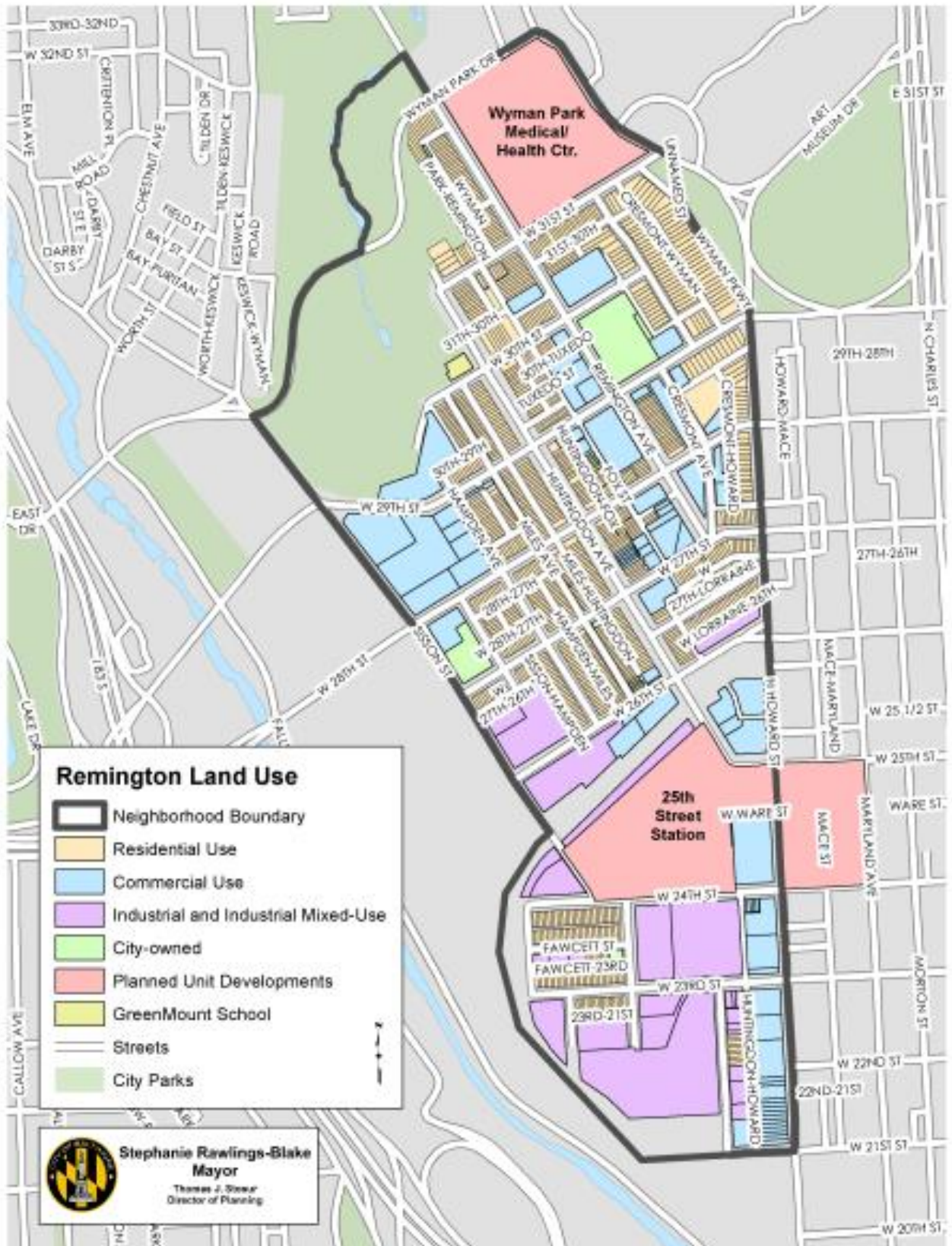
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In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

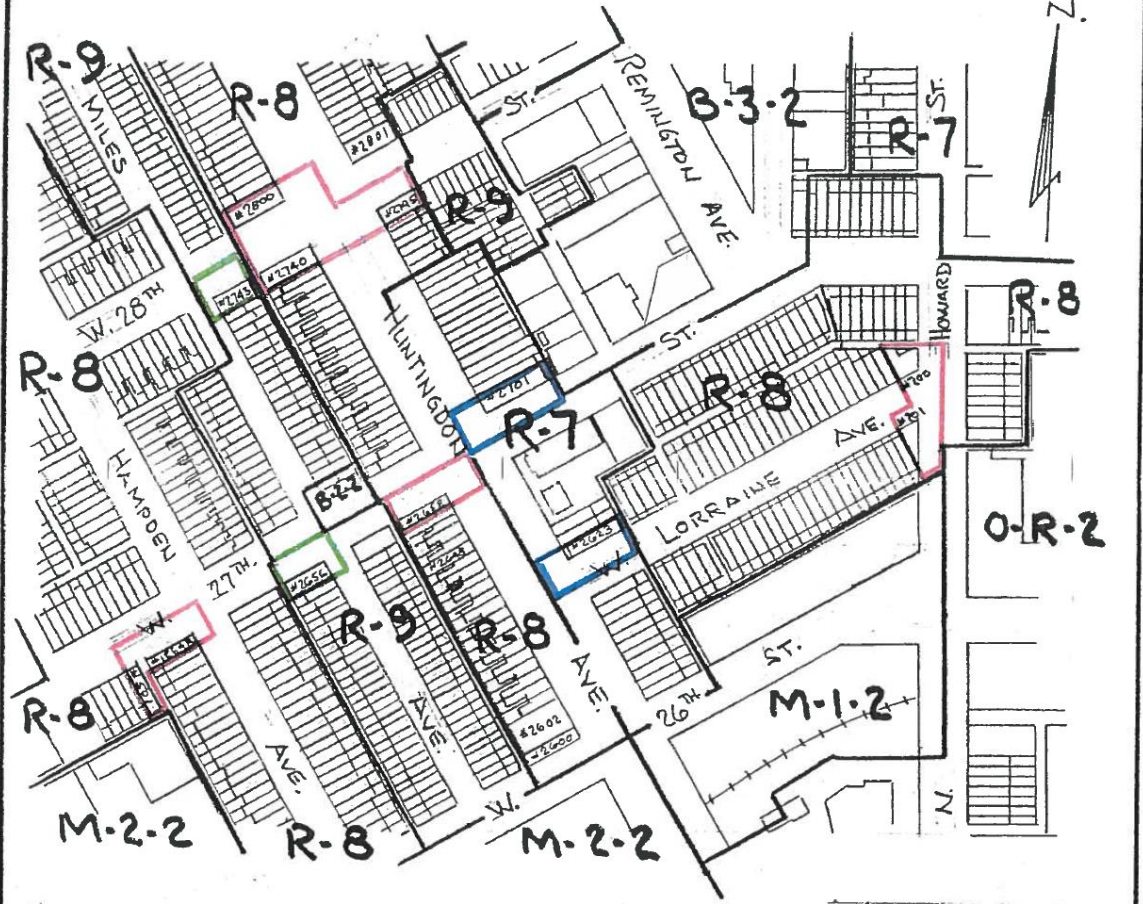
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SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



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FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to *use* the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

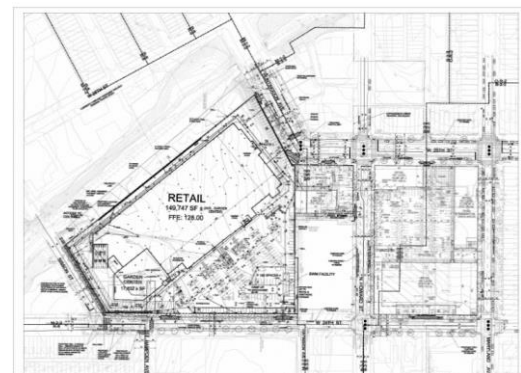


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff’s recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) **Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.

- (2) **The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.

- (3.) **The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2800 Huntingdon Avenue

2800 Huntingdon Ave. is a 2100 ft.² parcel at the northwest corner of W. 28th Street and Huntingdon Ave. It houses a 3268 ft.² two story structure. W. 28th Street is a major transportation artery in Remington.

Dating back to 1937, this property was authorized for use as a tavern. In 1949, a one story rear addition was approved, expanding the tavern and dwellings. In the early 1960s, it became a packaged goods store. In 1996, the authorized use is listed as a variety store and one dwelling unit. Throughout the early 2000s, it continued to operate as a variety store on the ground floor. Most recently in 2013, the BMZA authorized the first floor use of this property as a grocery store and deli.

This property is located one block west of the Remington Row PUD that will infuse the neighborhood with new residents, retail services, and offices for a variety of users. The now stalled 25th Street Station PUD is three blocks south of this location. Also nearby is Miller's Court, a former manufacturing building that now houses 40 residences and over 30,000 ft.² of office space and 2600 N. Howard St., a former tire shop that now houses a restaurant/butcher shop, non-profit office space and a theater. This property is one of four corner properties at the intersection of W. 28th Street and Huntingdon Ave. and they all share a similar history of once having commercial uses on the ground floor despite its residential zoning.

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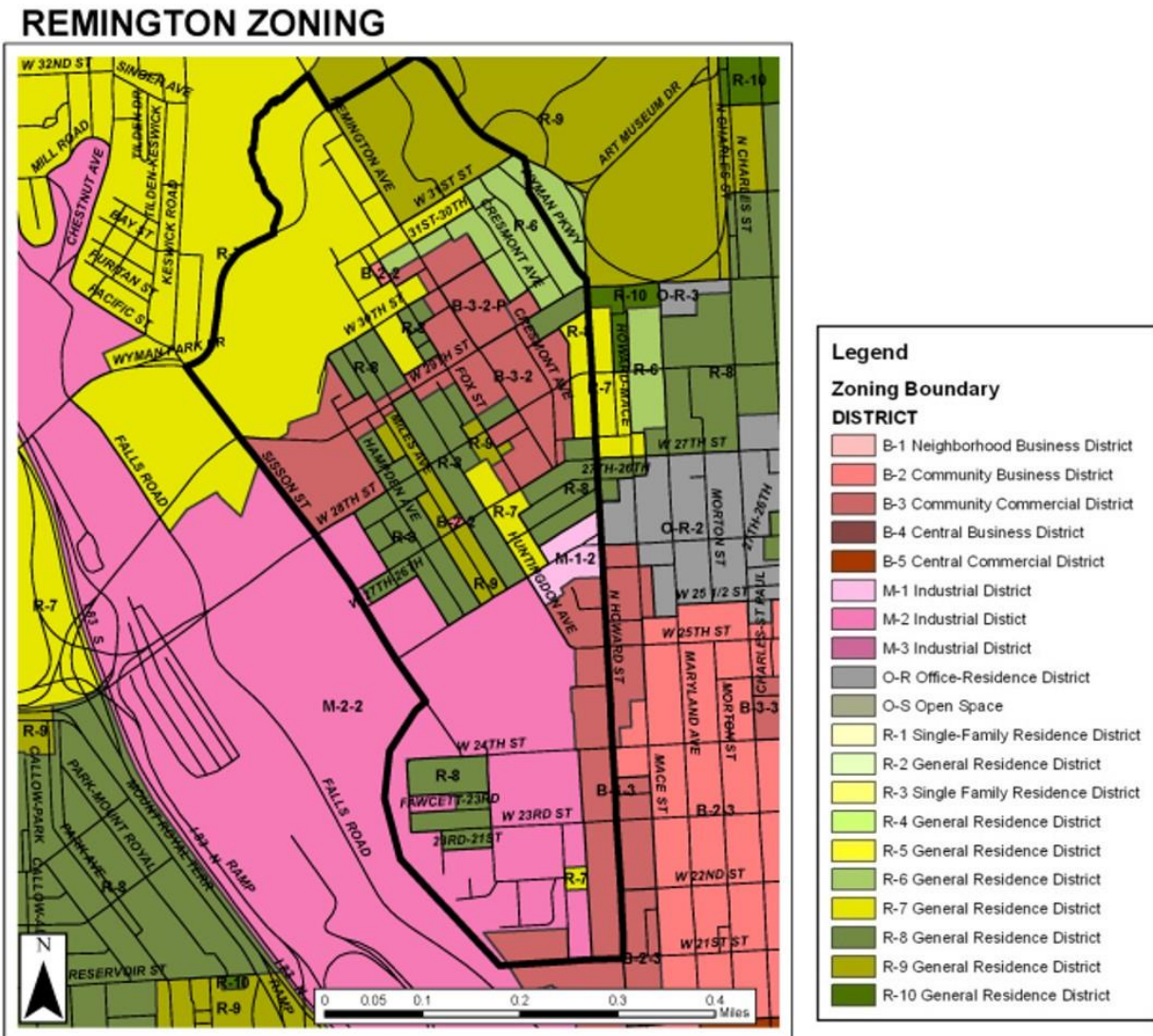
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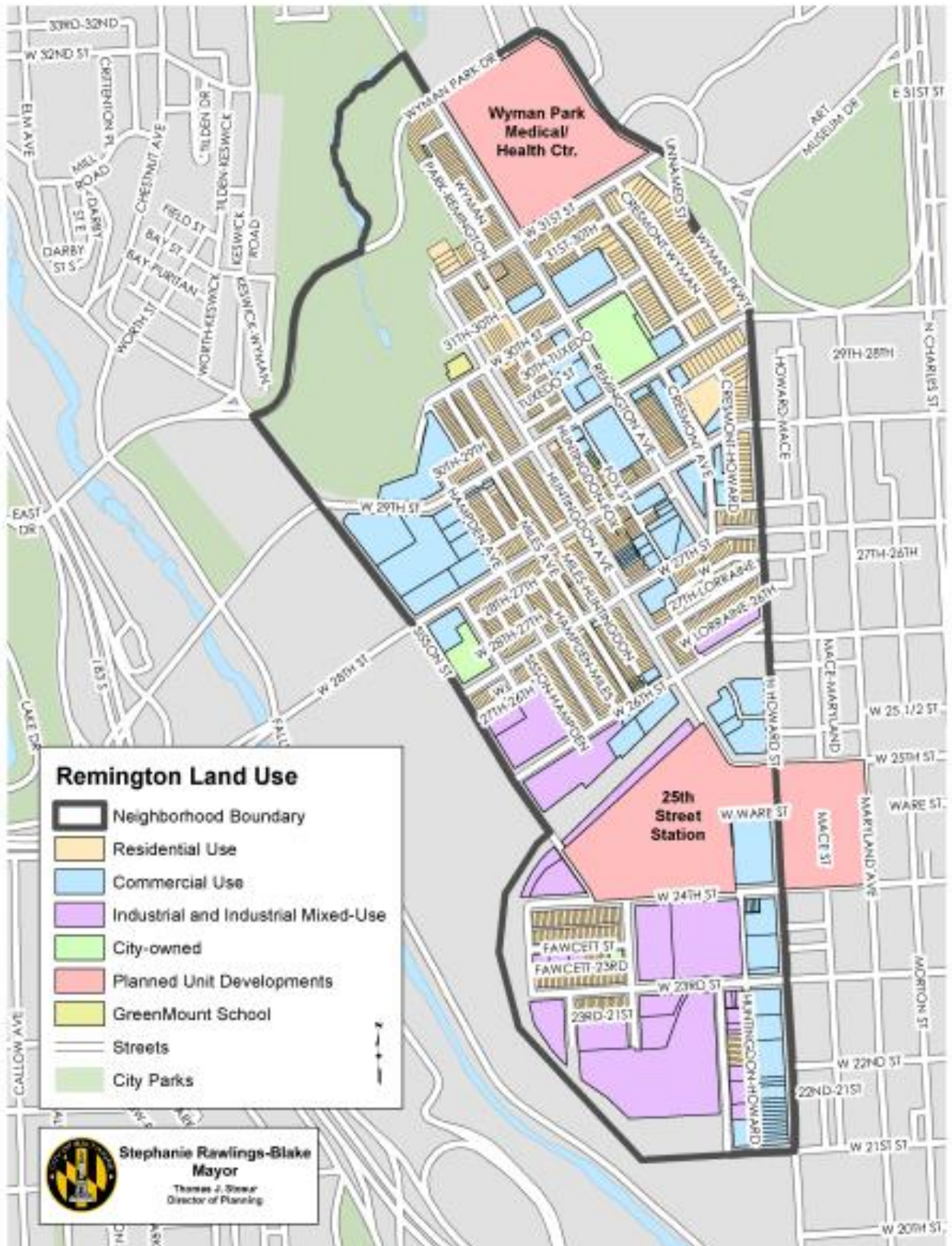
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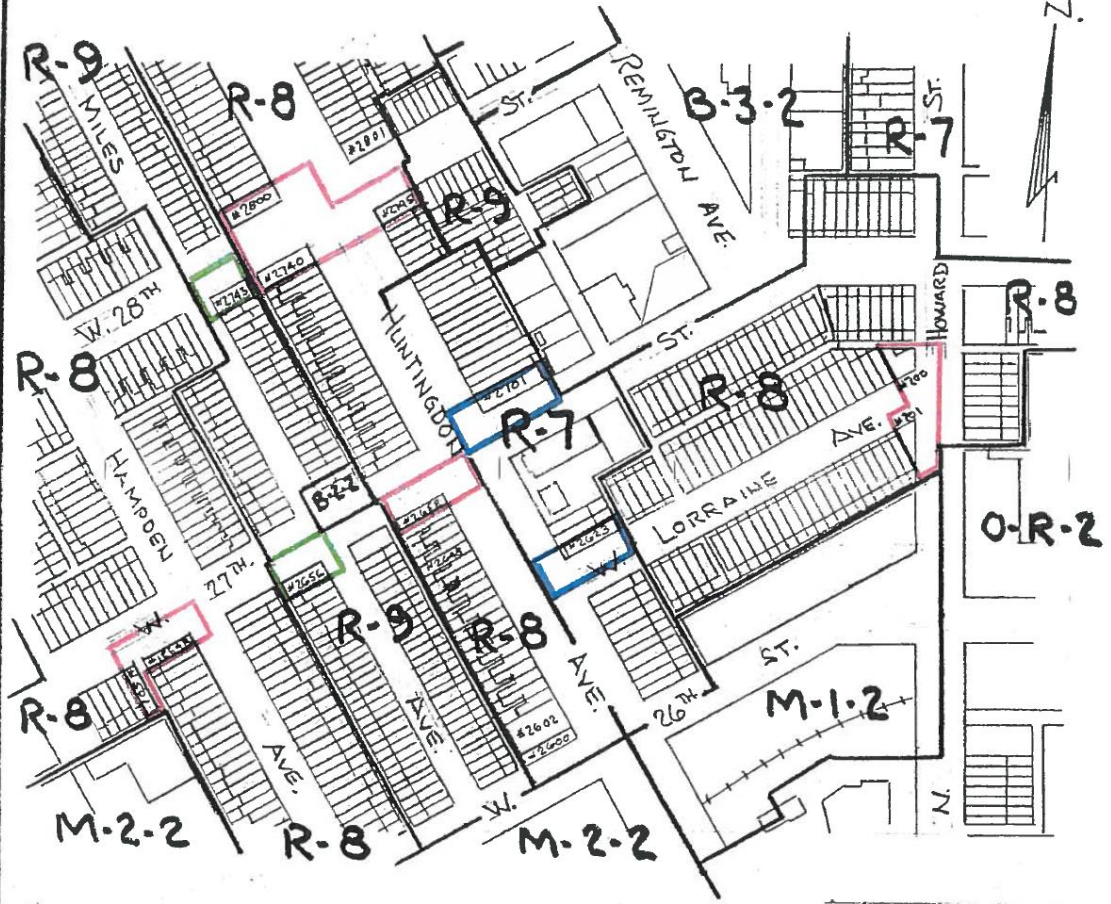
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 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
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As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
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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.
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The City Council may grant the amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) The City Council may grant the amendment to change the zoning classification based on a finding that there was:

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- (ii) a mistake in the existing zoning classification*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to use the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

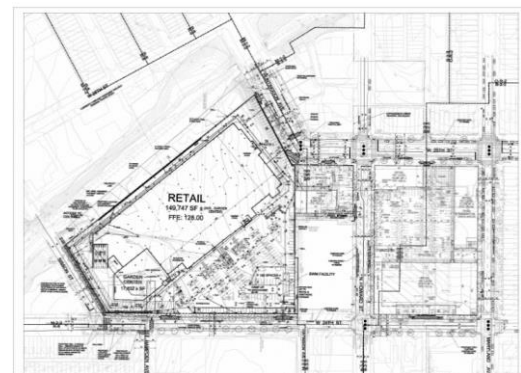


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller’s

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff's recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) **Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.

- (2) **The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.

- (3.) **The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2648 Hampden Avenue

2648 Hampden Ave. is a 1050 ft.² parcel that sits at the southwest corner of W. 27th Street and Hampden Ave. It houses a 1260 ft.² two story structure.

The citywide police survey conducted in 1931 to determine the uses of each property revealed that this property was being used as a store and dwelling unit. In 1956 it was authorized as a lunchroom and in 1999 it was converted into two dwelling units.

This property is located on the eastern side of the neighborhood close to the industrial buildings. However, some of these buildings have been converted into office spaces and other uses that are more compatible with the nearby residences. It is about two blocks north of the stalled 25th Street Station PUD and two blocks west of the Remington Row PUD that is slated to have a mix of residential, commercial, and office spaces.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and*
- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

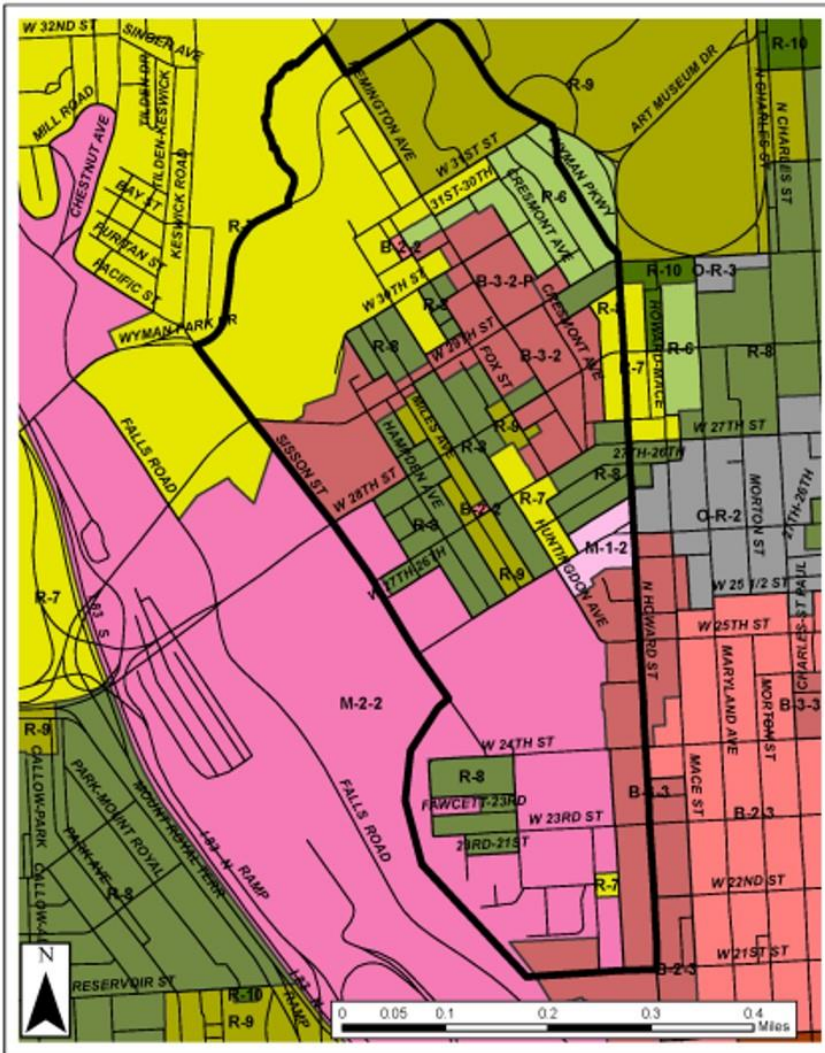
In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

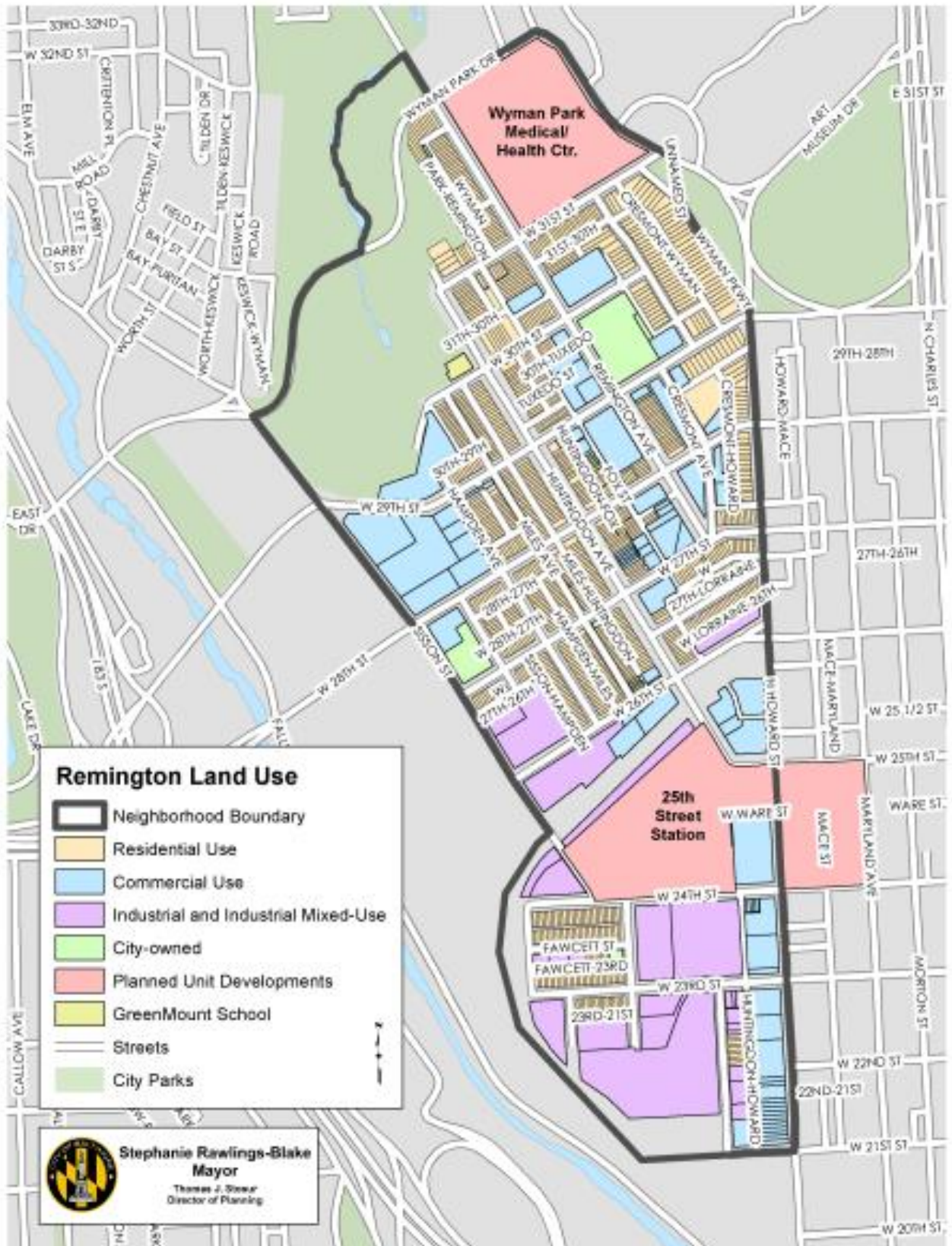
The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.

REMINGTON ZONING



Legend	
Zoning Boundary	
DISTRICT	
[Light Pink Box]	B-1 Neighborhood Business District
[Red Box]	B-2 Community Business District
[Dark Red Box]	B-3 Community Commercial District
[Brown Box]	B-4 Central Business District
[Dark Brown Box]	B-5 Central Commercial District
[Light Purple Box]	M-1 Industrial District
[Pink Box]	M-2 Industrial District
[Purple Box]	M-3 Industrial District
[Grey Box]	O-R Office-Residence District
[Light Green Box]	O-S Open Space
[Yellow Box]	R-1 Single-Family Residence District
[Light Green Box]	R-2 General Residence District
[Yellow Box]	R-3 Single Family Residence District
[Light Green Box]	R-4 General Residence District
[Yellow Box]	R-5 General Residence District
[Light Green Box]	R-6 General Residence District
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[Dark Green Box]	R-10 General Residence District



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

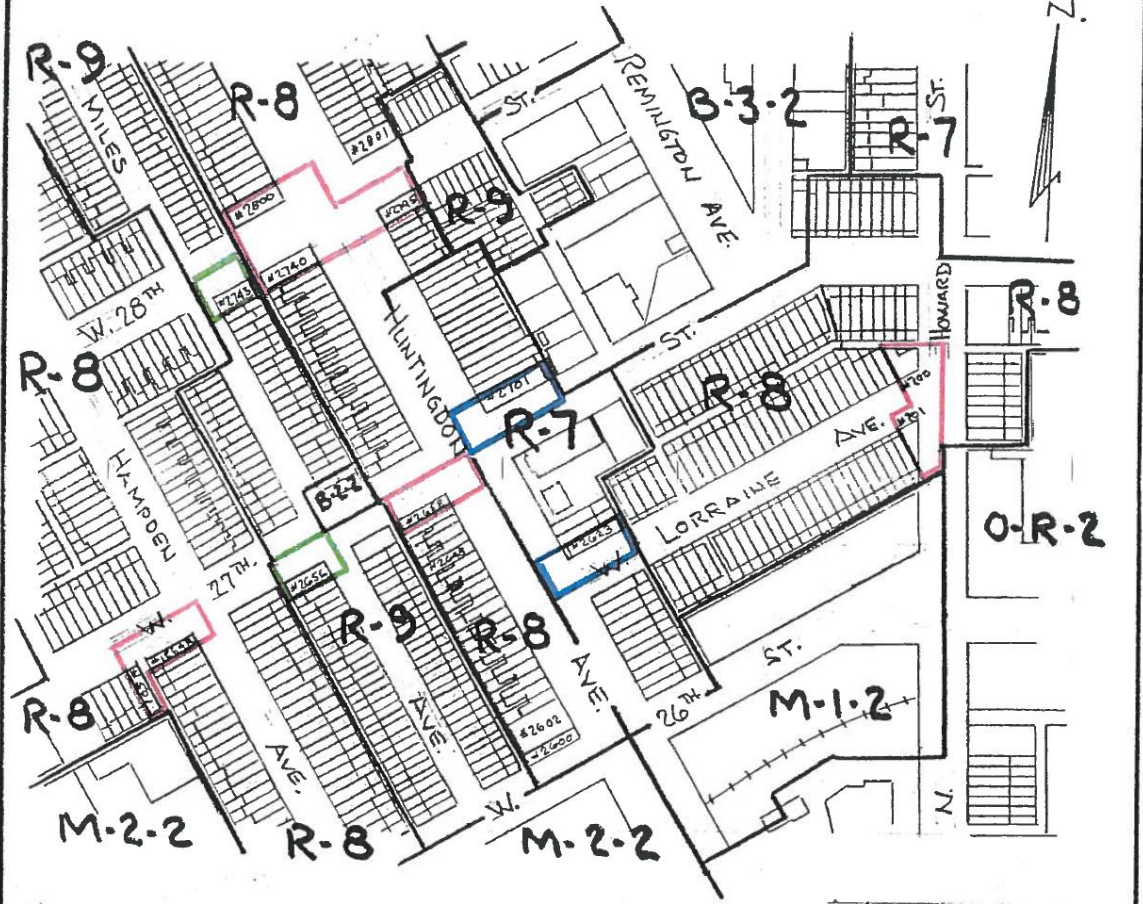
Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



SCALE: 1"=200'

AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

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Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

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The 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

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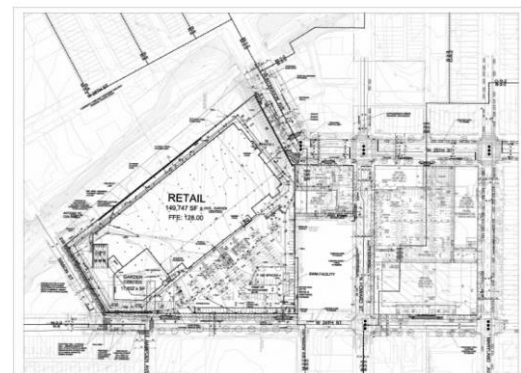


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- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



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In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller’s

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

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Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

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The Board and the Planning Commission must also consider the following matters:

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- (2) **The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.

- (3.) **The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

501 West 27th Street

501 W. 27th St. is a 1050 ft.² parcel that sits at the end of a rowhouse block adjacent to an alley that backs up to the 2500 block of Hampden Ave. It houses a 1410 ft.² two story structure. The oldest and only land use record for this property was done in 1931 and is listed as a dwelling unit and grocery store.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and

(ii) report their findings and recommendations to the Mayor and City Council.

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small

business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

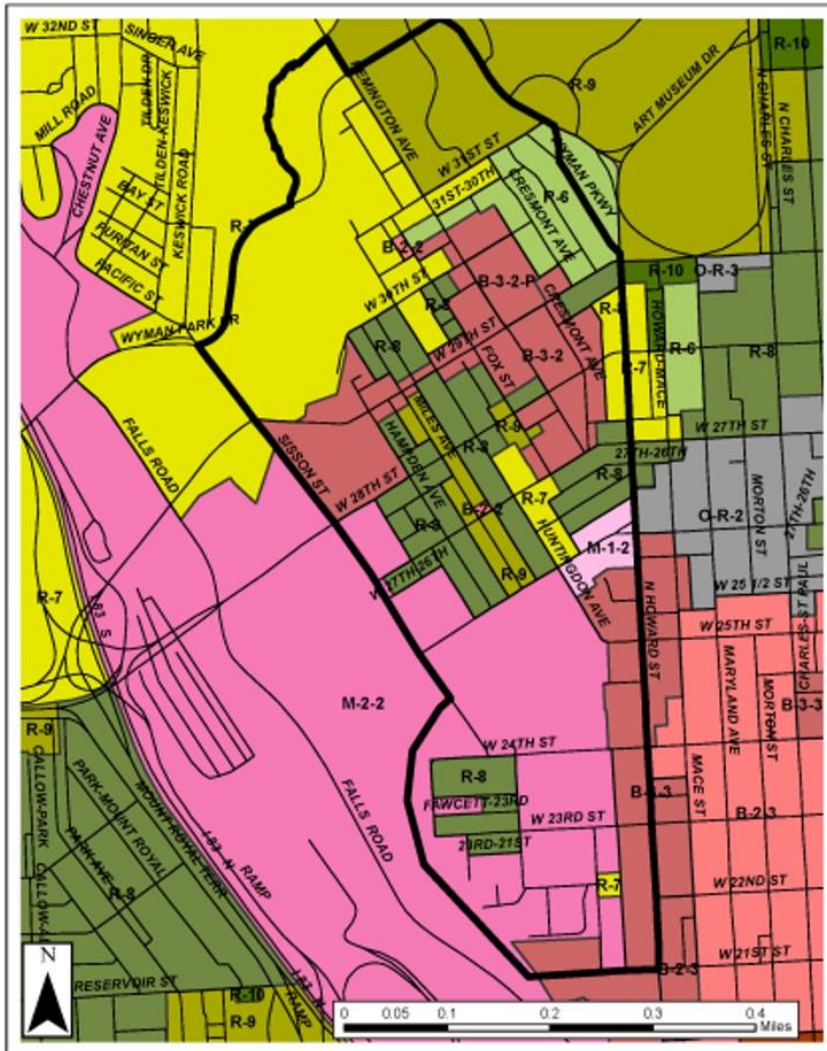
In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.

REMINGTON ZONING

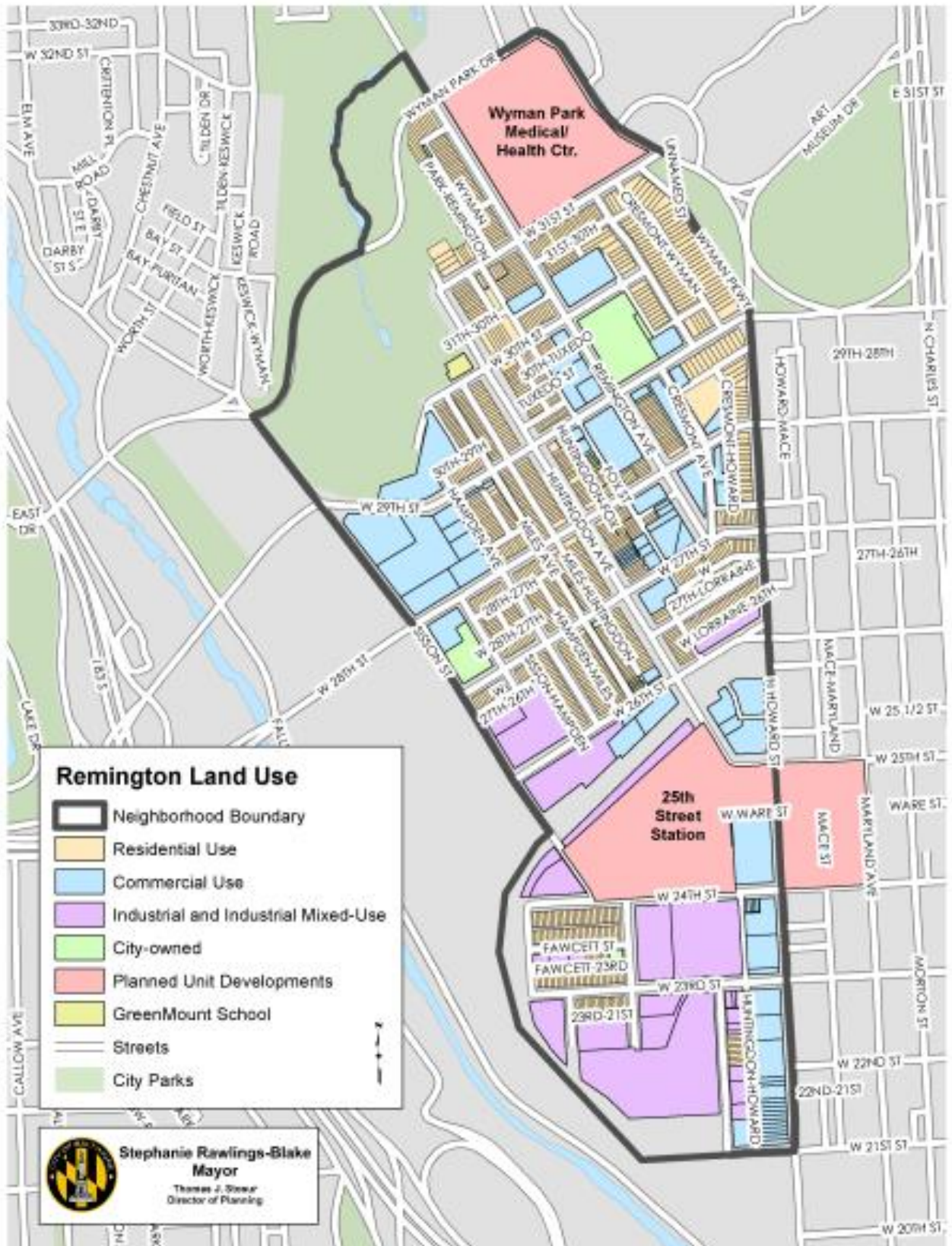


Legend

Zoning Boundary

DISTRICT

- B-1 Neighborhood Business District
- B-2 Community Business District
- B-3 Community Commercial District
- B-4 Central Business District
- B-5 Central Commercial District
- M-1 Industrial District
- M-2 Industrial District
- M-3 Industrial District
- O-R Office-Residence District
- O-S Open Space
- R-1 Single-Family Residence District
- R-2 General Residence District
- R-3 Single Family Residence District
- R-4 General Residence District
- R-5 General Residence District
- R-6 General Residence District
- R-7 General Residence District
- R-8 General Residence District
- R-9 General Residence District
- R-10 General Residence District



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



SCALE: 1"=200'

AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

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The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to use the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

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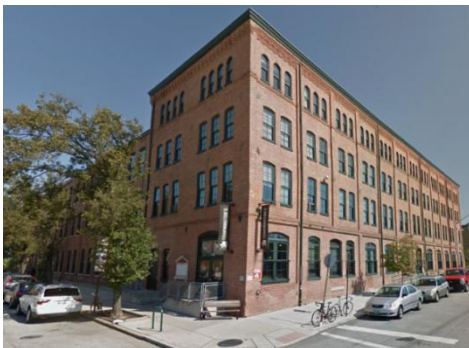
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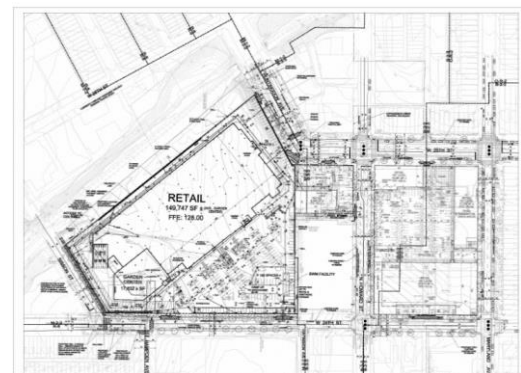


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- (3.) The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2656 Miles Avenue

2656 Miles Ave. is a 1440 ft.² parcel that sits at the southwest corner of W. 27th Street and Miles Ave. It houses a 2016 ft.² two story structure.

The citywide police survey conducted in 1931 to determine the uses of each property revealed that this property was being used as one apartment and a shoe repair store. In 1963 a rear addition was added to increase the dwelling units to two and expand the shoe repair store. In 1986 it was authorized to use the first floor as a deli. Most recently, in 2015, it was authorized to be used as a single family dwelling.

This property is located on the eastern side of the neighborhood close to the industrial buildings. However, some of these buildings have been converted into office spaces and other uses that are more compatible with the nearby residences. It is about one and a half blocks north of the stalled 25th Street Station PUD and two blocks west of the Remington Row PUD that is slated to have a mix of residential, commercial, and office spaces.

Maryland Land Use Article, § 10-305- 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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

Land Use Article, § 10-305. Changes to boundaries of districts or zones, MD LAND USE § 10-305 (a) (2) The Planning Commission and the Board shall:

(i) 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; and*
- (ii) report their findings and recommendations to the Mayor and City Council.*

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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

2. The needs of Baltimore City

The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote

unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

3. The needs of the particular neighborhood in the vicinity of the proposed changes

The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

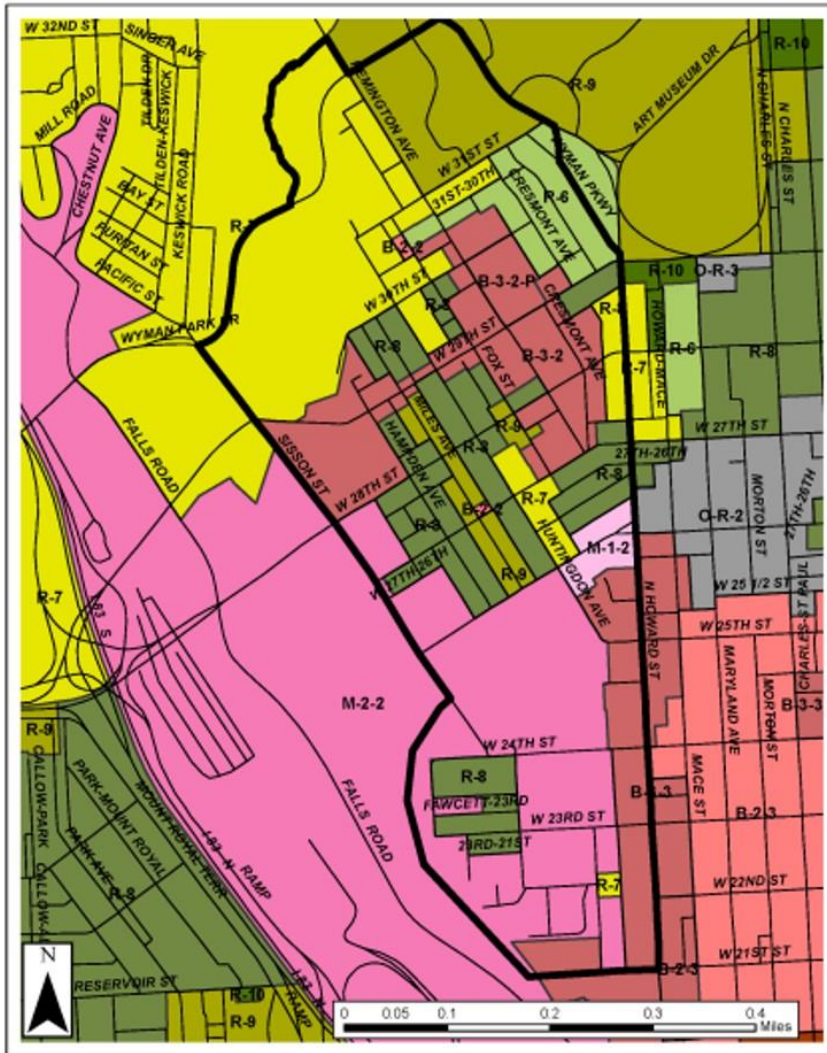
In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

Delineation of the Neighborhood

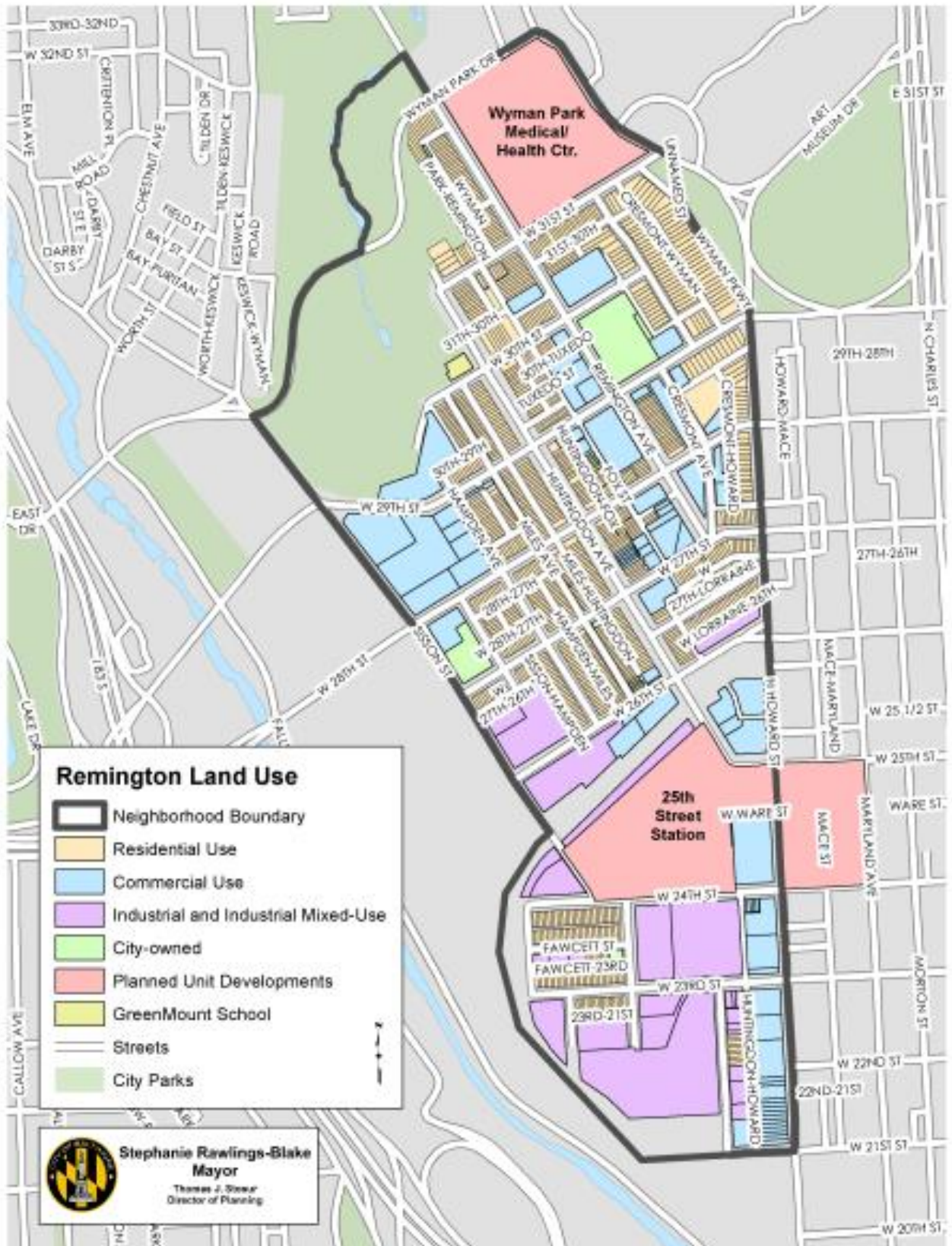
The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.

REMINGTON ZONING



Legend	
Zoning Boundary	
DISTRICT	
[Light Pink Box]	B-1 Neighborhood Business District
[Red Box]	B-2 Community Business District
[Dark Red Box]	B-3 Community Commercial District
[Brown Box]	B-4 Central Business District
[Dark Brown Box]	B-5 Central Commercial District
[Light Purple Box]	M-1 Industrial District
[Pink Box]	M-2 Industrial District
[Purple Box]	M-3 Industrial District
[Grey Box]	O-R Office-Residence District
[Light Green Box]	O-S Open Space
[Yellow Box]	R-1 Single-Family Residence District
[Light Green Box]	R-2 General Residence District
[Yellow Box]	R-3 Single Family Residence District
[Light Green Box]	R-4 General Residence District
[Yellow Box]	R-5 General Residence District
[Light Green Box]	R-6 General Residence District
[Yellow Box]	R-7 General Residence District
[Light Green Box]	R-8 General Residence District
[Yellow Box]	R-9 General Residence District
[Dark Green Box]	R-10 General Residence District



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

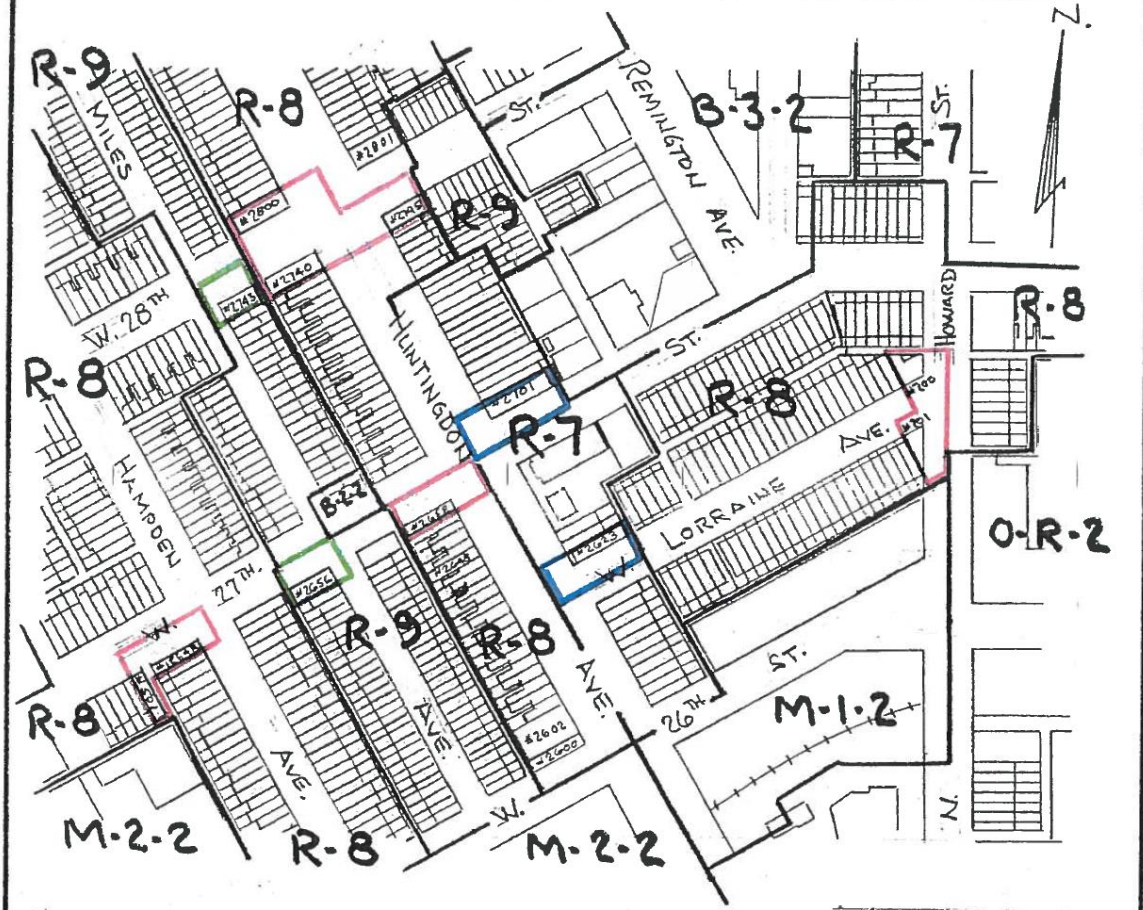
Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



SCALE: 1"=200'

AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to use the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

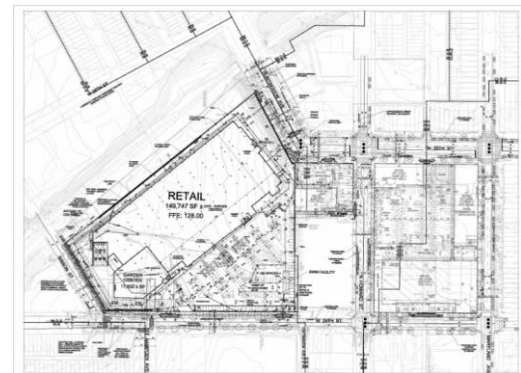


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff’s recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) **Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.

- (2) **The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.

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- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

2743 Miles Avenue

2743 Miles Ave. is a 1300 ft.² parcel that sits at the southeast corner of W. 28th Street and Miles Ave. It houses a 2360 ft.² two story structure.

The oldest information on the use of this property dates back to 2004 where it was authorized to continue the use of a grocery store on the first floor. It continues to operate as a non-conforming grocery store.

This property is located on the eastern side of the neighborhood close to the industrial buildings. However, some of these buildings have been converted into office spaces and other uses that are more compatible with the nearby residences. It is about two blocks north of the stalled 25th Street Station PUD and two blocks west of the Remington Row PUD that is slated to have a mix of residential, commercial, and office spaces.

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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 the Plan, the needs of Baltimore City and the needs of the particular neighborhood in the vicinity of the proposed changes. The rezoning standards as set forth in Section 10-305 (a) (2) below are germane to each of the parcels.

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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 to redevelop vacant properties, promote unique retail venues, and create additional opportunities for mixed-use which is the direction of change in Remington.

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The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City, to promote

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The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities. On August 6, 2015, the Planning Commission adopted the *Zoning and Land Use Study in the Remington Central Business Area* (Appendix 1).

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

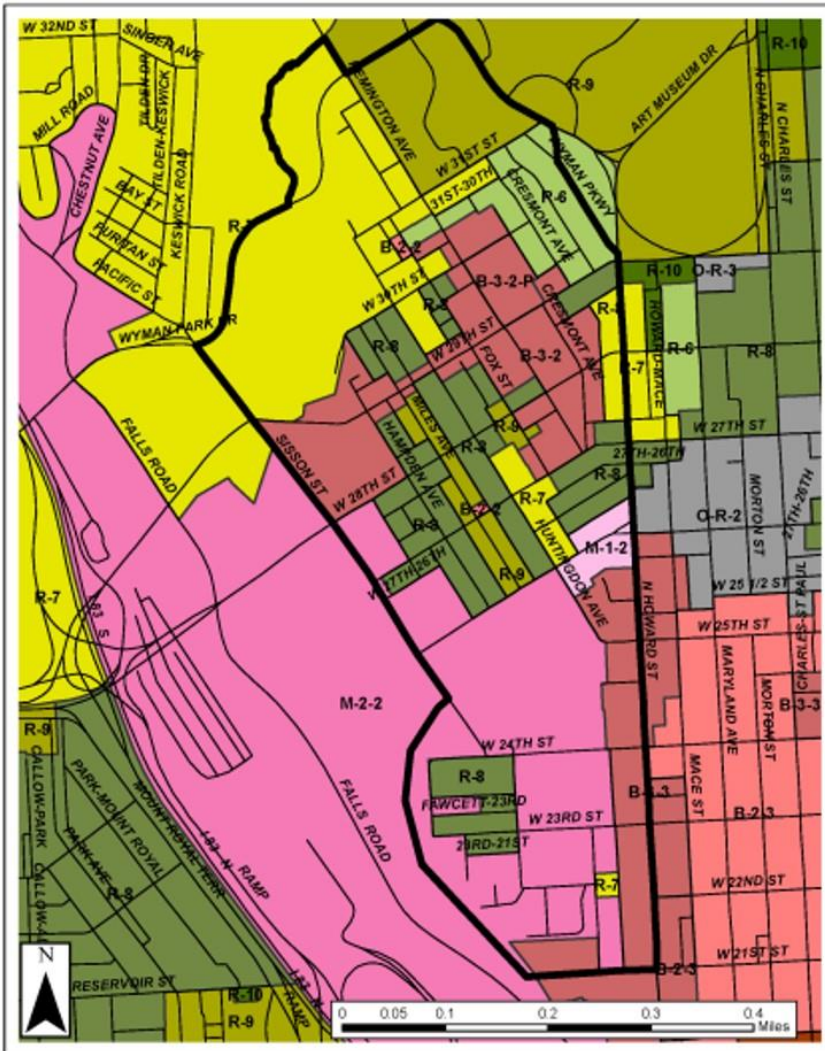
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Delineation of the Neighborhood

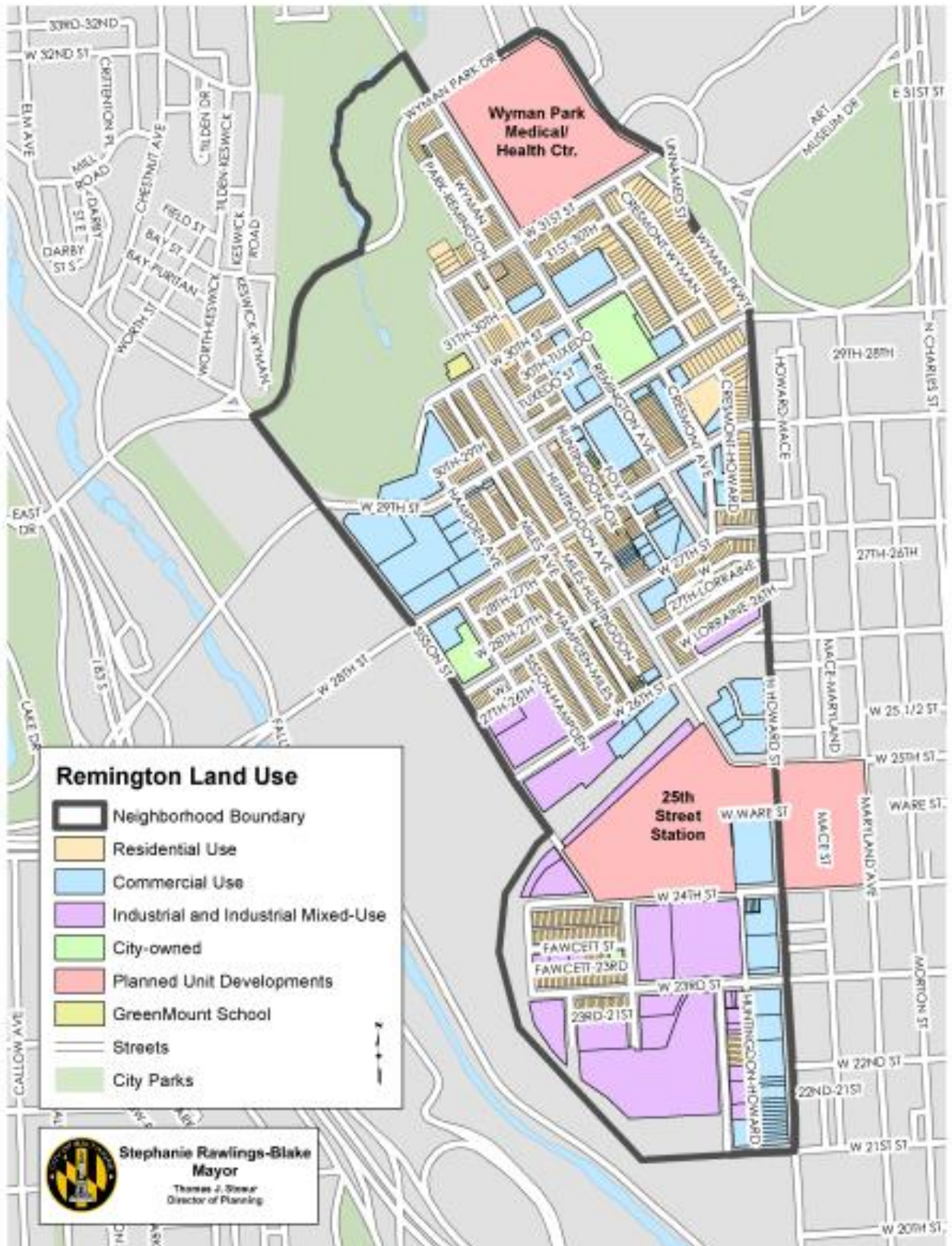
The first step in considering whether there is a substantial change in the character of the neighborhood such as to justify a piecemeal rezoning request is to define or delineate the relevant neighborhood. The following maps represent what we believe constitutes the relevant neighborhood for Remington. The neighborhood boundaries, as shown in the map below, are based a Neighborhood Statistical Areas (a Census Geography). We use these boundaries for statistical analysis and for general definitions of neighborhoods. For planning purposes, these boundaries include both sides of a boundary street. In addition, the Planning Department will use broader areas than just a neighborhood to evaluate impact and change to a neighborhood. Changes that happen in one neighborhood may have substantial impact on an adjacent neighborhood

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.

REMINGTON ZONING



Legend	
Zoning Boundary	
DISTRICT	
[Light Pink Box]	B-1 Neighborhood Business District
[Red Box]	B-2 Community Business District
[Dark Red Box]	B-3 Community Commercial District
[Brown Box]	B-4 Central Business District
[Dark Brown Box]	B-5 Central Commercial District
[Light Purple Box]	M-1 Industrial District
[Pink Box]	M-2 Industrial District
[Purple Box]	M-3 Industrial District
[Grey Box]	O-R Office-Residence District
[Light Green Box]	O-S Open Space
[Yellow Box]	R-1 Single-Family Residence District
[Light Green Box]	R-2 General Residence District
[Yellow Box]	R-3 Single Family Residence District
[Light Green Box]	R-4 General Residence District
[Yellow Box]	R-5 General Residence District
[Light Green Box]	R-6 General Residence District
[Yellow Box]	R-7 General Residence District
[Light Green Box]	R-8 General Residence District
[Yellow Box]	R-9 General Residence District
[Light Green Box]	R-10 General Residence District



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

Maryland Land Use Article 10-304 (b)(1) and 10-304 (b)(2) -Findings of Fact and Substantial Change

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 for each property in City Council Bill #16-0734. The Department of Planning Staff includes proposed Findings of Fact in this staff report, which the City Council may adopt. The information outlined in this section was used to evaluate as to whether or not the proposed rezoning is in the interest of the public. The statute regarding the findings of fact is as follows:

Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304

10-304 (b)(1) If the purpose and effect of a proposed map amendment is to change the zoning classification of particular property, the City Council shall make findings of fact that address:

- (i) population change;*
- (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 Baltimore City Planning Commission and the Board; and*
- (vi) the relationship of the proposed amendment to Baltimore City's plan.*

Below is the plat map included in the bill, which shows the location of each parcel and the Findings of Fact for each parcel included in the bill.

SHEET NO. 35 OF THE ZONING DISTRICT MAPS OF ARTICLE 30 OF THE BALTIMORE CITY CODE, 1966 EDITION, AS AMENDED BY ORDINANCE NO. 1051 APPROVED APRIL 20, 1971 TITLED "ZONING ORDINANCE."



AREAS OUTLINED IN BLUE TO BE CHANGED
 FROM: THE R-7 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT.

AREAS OUTLINED IN RED TO BE CHANGED
 FROM: THE R-8 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

AREAS OUTLINED IN GREEN TO BE CHANGED
 FROM: THE R-9 ZONING DISTRICT
 TO: THE B-1-2 ZONING DISTRICT

SCALE: 1"=200'

FOR:
 GREATER REMINGTON
 IMPROVEMENT ASSOCIATION
 56 RYAN FLANIGAN
 429 FAWCETT ST.
 BALTIMORE, MD. 21211

 MAYOR

 PRESIDENT CITY COUNCIL

RDS

734

1. Population change- The Remington neighborhood has experienced many fluctuations in population since 1971. The table below shows the population counts in Remington from the decennial Census since 1970.

<u>Remington Population Counts - Decennial Census (Census Tract 1207)</u>	
1970	3,842
1980	3,179
1990	2,894
2000	2,308
2010	2,476

As you can see, since 1970, the neighborhood experienced a steady decline in population, but in 2000, the population hit the lowest point of that period and began to trend upwards. Between the 2000 and 2010 Census periods there was a 6.8% population increase, which translates into 157 additional residents within Remington in the last 10 years.

2. Availability of public facilities- The properties are well served by City services, with no expected impacts as a result of this rezoning. There is no new construction proposed for this parcel. Given the size of this parcel we, do not expect there to be substantial changes or upgrades to the existing public infrastructure.
3. Present and future transportation patterns- The existing transportation pattern of this area is not expected to change as a result of this rezoning. Currently, there are no major street configurations proposed as a result of this rezoning. The property is currently served by either bus, automobile, bicycle or pedestrian. This is expected to be the future transportation pattern, no change from the impact of this rezoning. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. Compatibility with existing and proposed development for the area- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

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 amendment to change 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.

Land Use Article, § 10-304 (b) (2)-Supporting Rezoning Based on Substantial Change in Character of the Neighborhood

The State of Maryland Land Use Article, § 10-304. Zoning regulations--Amendment, repeal, and reclassification, MD LAND USE § 10-304 allows for the following:

10-304 (b) (2) 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*

The justification for this parcel rezoning is based on substantial change in the neighborhood. Substantial Change in the character of the neighborhood can come from many sources. The easiest to see is the physical construction of new buildings or the adaptive reuse of buildings. In the case of Remington, the change, not only includes those things, but the nuance of policy and the land use shifts that have occurred even within a property that may not have had a zoning change. These subtle changes can cumulatively reflect the neighborhood character change that you see on the ground in the Remington neighborhood.

Often times people confuse zoning and land use. They are two different things. The zoning category allows for the breadth of permitted or conditional uses on a parcel. At any given time, a property owner could opt to apply for permits to use the property for any of the allowable land uses. As shown in the adopted land use study, the Remington neighborhood has had a variety of zoning categories since 1971. Though the zoning itself has not changed often within the neighborhood, the land uses on the ground have changes through the years. These changes have caused the character of the neighborhood to substantially change. Both M-2 and B-3 zoning categories are present in the Remington neighborhood. These two categories are example of categories that have a breadth of land uses that can operate within its allowable zoning, but by merely changing land uses can alter the character of the neighborhood in a profound way.

Remington was built as a neighborhood with many industrial buildings with rowhouses often capped at the end of blocks with a rowhome that had a corner store configuration on the ground floor. The industrial buildings were used for manufacturing and industrial uses (jobs) and the rowhouses for housing the families. The corner store properties provided goods and services within the neighborhood. As shown, the population at the time of the 1971 Zoning Code began to show steady decline until 2000. The heavy industries moved out of the city, thus jobs began to leave. As people left the neighborhood, then some of the corner stores began to close. This shift caused a substantial change in neighborhood character.

In 2000 the population slowly began to increase. Over the past 16 years the popularity of the neighborhood as begun to rise. Some of the former commercial and industrial areas became prime for residential or mixed use spaces. In addition, some of the vacant industrial buildings switched from heavier industrial uses to more benign office commercial spaces or warehouse uses or were even adapted to neighborhood amenities, such as a garden center or restaurants.

With this new found population growth the desire for more walk to services was back on the rise. In 2010, there was a major policy change that began to hinder the upward growth. In addition, the physical redevelopment and demand that the population growth was causing yet another substantial change in neighborhood character since 1971.

Policy Change: City Zoning Code Text Amendment Highlighted the Need For Rezoning

In 2010, there was a major policy shift in the Zoning Code of Baltimore City that made it much harder for residentially zoned properties that could prove their past commercial land use to be re-occupied with a commercial land use. Prior to 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. As shown in a previous chart, many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed by a Floor Area Ratio (FAR) of 2.5. 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.

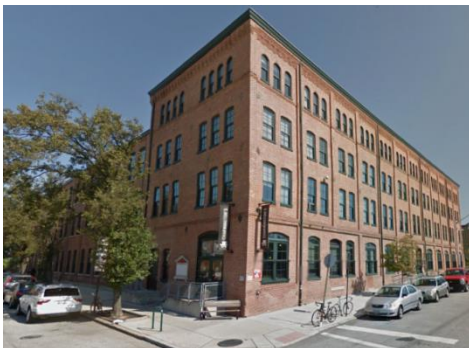
The 2010 text amendment discussed above highlighted the need for the rezoning of these properties due to the shift of the neighborhood to mixed-use. Before the text amendment, the need for the rezoning was not as pressing because the non-conforming commercial uses could be reestablished. Now that this is not possible, and because of the separate change in the character of the neighborhood, the need to rezone these properties in keeping with the change is more obvious.

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Major Projects That Lead to Substantial Change

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.



- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.

- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

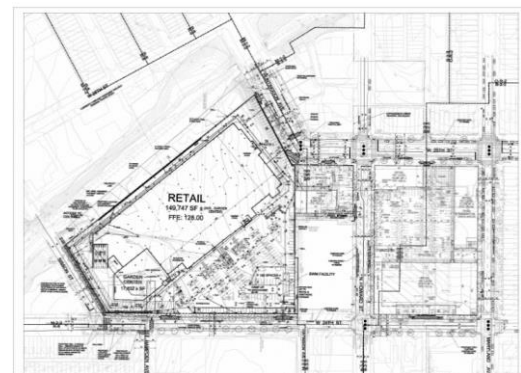


New Construction

- Remington Row (both pictures to the right) – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.



- 25th Street Station (pictured below)- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.



In summary, these five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's

Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

The comprehensive rezoning in 1971 was based on the notion of separating different uses. Remington always includes a mix of different zoning categories, but the changes described in this report have involved bringing the residential, office, and retail uses together to a greater degree. Since 1971, there has been major population decline, but in this neighborhood, since 2000, there has been a striking shift in that residents are moving back. One of the major causes of this positive trend is the change in the character of the neighborhood reflected in these major mixed-use projects that are in close proximity to the 12 properties included in City Council Bill #16-0734.

Zoning Code, § 16-305- Public Interest and Other Considerations of the Requested Zoning Change

According to the Zoning Code of Baltimore City the Planning Commission must find the following:

Zoning Code, § 16-305. Required considerations — rezonings.

16-305 (b) Change to be in public interest.

The Board and the Planning Commission may not recommend the adoption of a proposed change in zoning classification unless they find that the adoption of the change is in the public interest and not solely for the interest of an applicant.

16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) existing uses of property within the general area of the property in question;*
- (2) the zoning classification of other property within the general area of the property in question;*
- (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and*
- (4) 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.*

Zoning Code 16-305 (b) Change to be in public interest.

In the analysis, which included the rezoning standards, showing that the requested zoning changes for each of the parcels listed in the City Council Bill #16-0734 does conform with the City Master Plan objectives to redevelop vacant properties, promote unique retail venues, and

encourage more opportunities for mixed-use development. In addition, the requested zoning change for each of the parcels listed in the bill does meet the desired goals and vision for the Remington neighborhood as shown in the adopted land use study to make the neighborhood more walkable. In addition, as previously mentioned, Planning Staff has proposed Findings of Fact to the City Council in this staff report. These proposed Findings of Fact were used in the analysis of each of the parcels included in City Council Bill #16-0734. Based on this overall analysis, it is found that rezoning this parcel is found to be in the interest of the public and not solely for the interest of the applicant. In approving the staff’s recommendation to approve City Council Bill #16-0734, it is thereby finding that the adoption of the change in zoning classification is in the public interest and meets Title 16-305 (b) of the Zoning Code of Baltimore City.

Zoning Code 16-305 (c) Additional considerations.

The Board and the Planning Commission must also consider the following matters:

- (1) **Existing uses of property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing land use map of the general area of the property in question. This map is also included in Appendix I.

- (2) **The zoning classification of other property within the general area of the property in question;** See the previous discussion on Land Use Article, § 10-305. This analysis includes an existing zoning map of the general area of the property in question. This map is also included in Appendix I.

- (3.) **The suitability of the property in question for the uses permitted under its existing zoning classification;** The property included in this zoning bill is what we would refer to as a “corner store” property. What this means is that the building on the property was “purpose built” to be used for a ground floor commercial use. The design of this property is commercial in character and the design deviates from the other adjacent buildings on the interior of the block that were designed as residential homes. Under the residential zoning the properties in questions would have to be modified for residential use, typically reducing the size of the front storefront window, removing awnings or signage. The following chart shows the specific parcels included.

Property Address	Approximate Lot Size (sqft)	Existing Zoning	Current 1 st Floor Use
2623 Huntingdon Avenue	2623	R-7	Residence
2701 Huntingdon Avenue	2250	R-7	Business
200 West Lorraine Avenue	1300	R-8	Vacant
201 West Lorraine Avenue	1512	R-8	Vacant
2658 Huntingdon Avenue	1050	R-8	Vacant
2740 Huntingdon Avenue	2100	R-8	Vacant
2745 Huntingdon Avenue	1500	R-8	Vacant
2800 Huntingdon Avenue	2100	R-8	Vacant
2648 Hampden Avenue	1050	R-8	Residence
501 West 27 th Street	1050	R-8	Vacant
2656 Miles Avenue	1440	R-9	Vacant
2743 Miles Avenue	1300	R-9	Business

- (4.) **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.** Refer to the discussion on Substantial Change in the Findings of Fact section above.

TransForm Baltimore

The TransForm Baltimore zoning recommendation for these parcels is for a mixture of C-1 and R-8. The intent of the TransForm Baltimore recommendation for the corner store properties was based on a provision in the comprehensive rezoning legislation that allows for the potential reuse of non-residential purpose-built properties through a provision called the Neighborhood Commercial Conditional Use. This provision, if included in the final passage of the comprehensive rezoning legislation, would allow for limited commercial use of these parcels. The proposed multi-property rezoning of all of the properties to B-1-2, including those slated to be R-8 in TransForm Baltimore, is in keeping with the changing nature of the area as well as the vision of allowing commercial occupancy of these parcels. Below is a chart showing the TransForm Baltimore recommendations for each of the parcels included in this bill.

Property Address	TransForm Baltimore Recommendation
2623 Huntingdon Avenue	R-8
2701 Huntingdon Avenue	C-1
200 West Lorraine Avenue	R-8
201 West Lorraine Avenue	R-8
2658 Huntingdon Avenue	R-8
2740 Huntingdon Avenue	C-1
2745 Huntingdon Avenue	R-8
2800 Huntingdon Avenue	C-1
2648 Hampden Avenue	R-8
501 West 27 th Street	R-8
2656 Miles Avenue	R-8
2743 Miles Avenue	R-8

NOTIFICATION

In advance of this hearing staff notified the following community organizations: Greater Remington Improvement Association, Remington Neighborhood Alliance, and Historic Greater Fawcett Community Association. In addition to these organizations, the property owners of record and the two Councilpersons representing the Remington neighborhood, the Honorable Carl Stokes and the Honorable Mary Pat Clarke, were notified of this action.

The posting for the Planning Commission for each of these parcels included in the City Council Bill was completed and provided to the Planning Commission.



**Thomas J. Stosur
Director**

Appendix 1

Zoning and Land Use Study in the Remington Central Business Area Adopted by the Planning Commission August 6, 2015.



City of Baltimore Department of Planning

ZONING AND LAND USE STUDY IN THE REMINGTON CENTRAL BUSINESS AREA



August 6, 2015

Introduction

Remington is experiencing a resurgence of development and related population growth that has created an opportunity to look at the neighborhood's zoning classifications and land use. With many anchor development projects completed or underway, this is an opportune time to ensure the rest of the neighborhood is poised to take advantage of redevelopment opportunities that reduce vacancies and make Remington an even more vibrant community.

This study has three objectives:

1. Examine the current land use and zoning classifications of the entire Remington neighborhood;
2. Determine if the proposed zoning changes in Transform Baltimore are appropriate for the future of Remington; and
3. Propose an intermediate intervention that addresses some of the current land use/zoning issues in Remington absent a Citywide comprehensive rezoning.

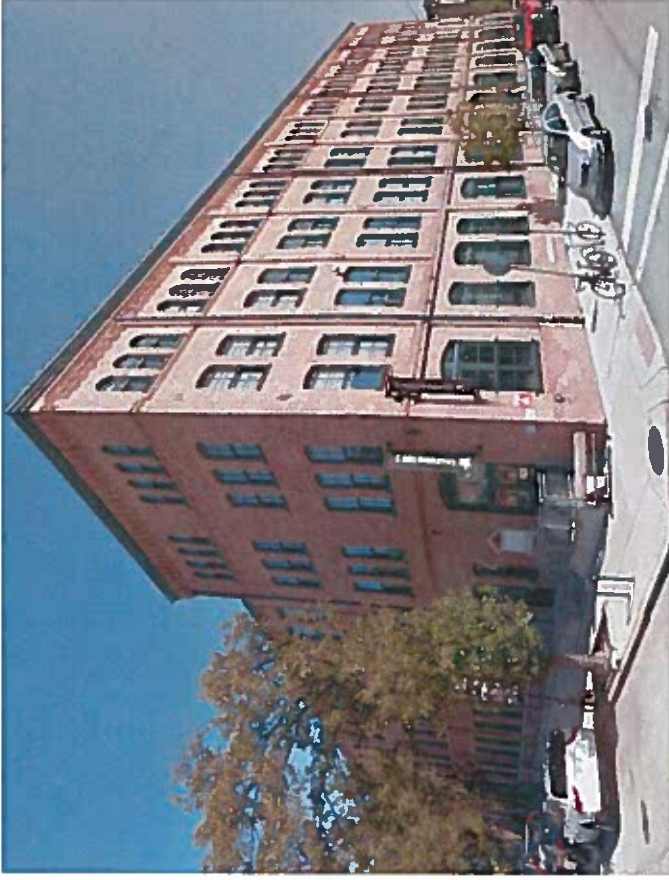
Background

Much like its neighbors Hampden and Charles Village to the north and east respectively, Remington, in recent years, has attracted local and national attention. Its location and character have positioned it for redevelopment bringing a new vibrancy to the neighborhood. The neighborhood has been able to maintain Baltimore's tradition of moderate density, pedestrian scaled mobility, and mixed uses. Residents view Remington's character as similar to a village, albeit within a larger urban context. The 2 to 3 story row houses in the neighborhood reflect, in a variety of incarnations, the tradition of Baltimore's residential settlement pattern. The proximity of residences to corner stores and industrial buildings and land recalls an era when workers lived near their primary sources of employment, shopping, and entertainment.

Like many neighborhoods in Baltimore, Remington experienced population loss during the 1950s-90s leading to high rates of vacancy. However, since 2000, Remington has seen a significant increase in the number of vacant homes that have been purchased and renovated for either rental or homeownership. Remington has also seen improved outcomes for vacant and neglected properties through Baltimore Housing's Vacants to Value program. In addition, developers have constructed a new mid-rise apartment building and converted a historic industrial building into the award-winning Miller's Court, containing workforce apartments, non-profit office space, and a nationally recognized coffee shop recently visited by the President.



Former Census Building in August 2007



Miller's Court 2015

Some of the old industrial buildings have survived or have been adapted for new uses as mentioned in the example above. Corner stores and other commercial buildings are scattered throughout the neighborhood, generally of compatible scale with nearby homes, and help define the most active intersections along Remington's main streets. Typically, corner buildings have commercial uses on the first story, with commercial or residential on the upper levels. The creative façades of recent businesses have brought new color, interest, and activity to the neighborhood.

In addition to the small, corner commercial rehabs that have taken place, major anchor developments have been completed or are underway in the neighborhood. Across from the Miller's Court redevelopment is the "Tire Shop" redevelopment, a renovation and adaptive re-use of a former tire shop at 2600 North Howard Street, now operating as a butcher shop, restaurant, and theater space. The same developer is also redeveloping the west side of the 2700 and 2800 blocks of Remington Avenue, "Remington Row", into a mixed-use building that houses office, residential, and ground floor retail space.

Recent / Underway Redevelopment Projects



Former Tire Shop in August 2011



Butcher Shop, Restaurant, and Theater in Former Tire Shop 2015



Remington Row Site Prior to Development



Remington Row Project Rendering 2015

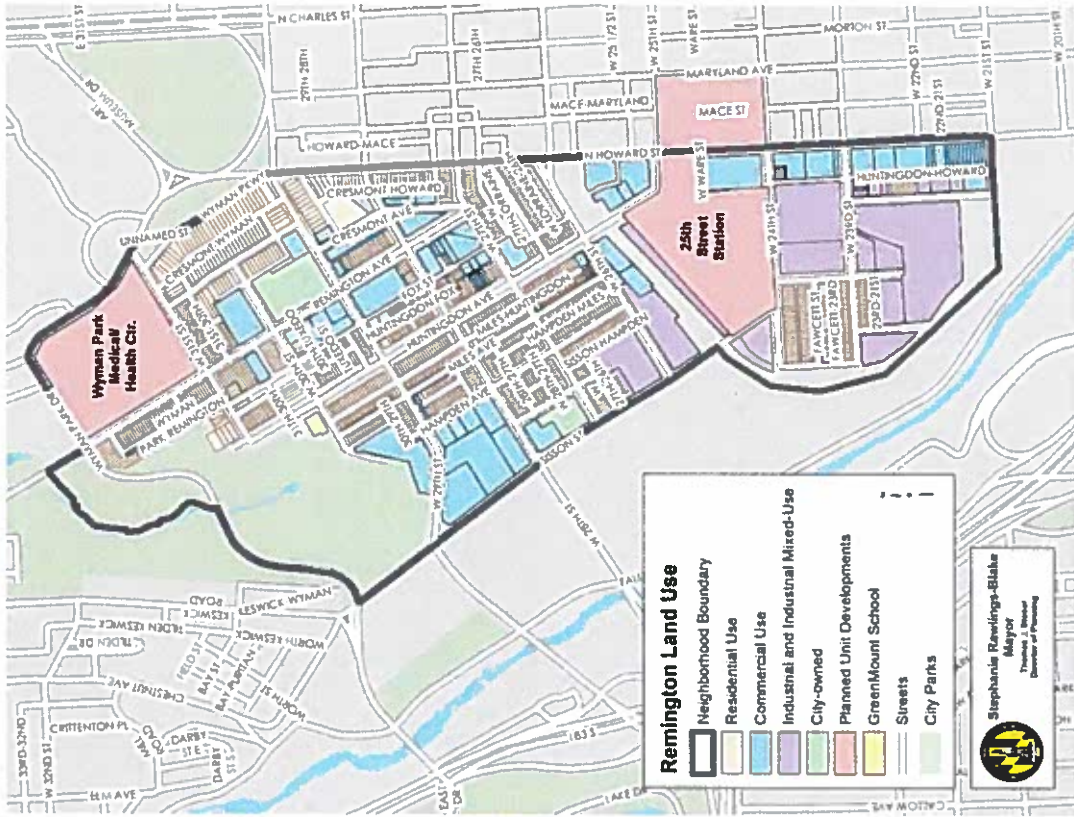


25th Street Station Development Site

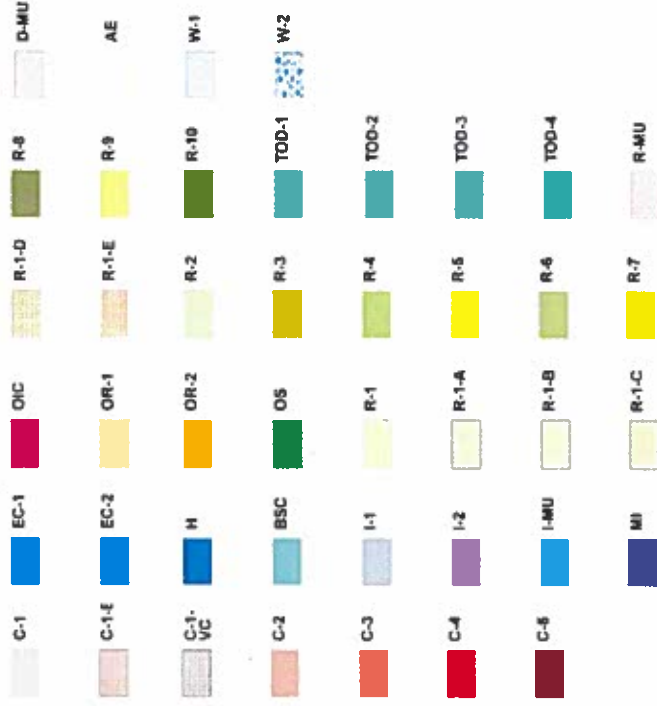
Another large anchor development site is 25th Street Station. The property is bounded by Huntingdon Avenue, 25th Street, Maryland Avenue, 24th Street, Sisson Street, and the CSX railroad tracks. This 11-acre site straddling Charles Village and Remington functioned as an Anderson automobile dealership for several decades, but now presents a great opportunity for future redevelopment. There is a Planned Unit Development (PUD) in place that anticipates mixed-use development for the site. Though the PUD exists the trigger to activate PUD has not occurred. The proposed development as outlined in the PUD is one that fits within the urban context of the surrounding neighborhood. Both the larger anchor redevelopment proposals and the smaller

commercial buildings lend themselves to creating a walkable and mixed-use neighborhood, with a variety of housing types and commercial services available. The types of uses typically found in a neighborhood of that kind include some of the following examples:

- rowhouses or other forms of single family homes
- small and medium-size apartment buildings
- restaurants, coffee houses, cafes and high-quality taverns
- small boutique shops for household goods
- garden shops or nurseries
- full-service grocery store
- office buildings
- local schools, daycares, and other educational facilities



Remington Land Use prior to the adoption of the Remington Row PUD



FOR MORE INFORMATION SEE REWRITEBALTIMORE.ORG

Proposed Zoning in Transform Baltimore

Vision for Dense, Walkable, Mixed-Use Neighborhood



Example of Historic Storefronts Currently Zoned Residential

The community's vision is for neighborhood-scale commercial uses along four major corridors: Remington Avenue, Huntington Avenue, 28th Street, and 29th Street. Additionally, the community supports neighborhood-scale commercial uses along minor corridors in historic storefronts. After examining the current zoning and land use patterns for the entire Remington neighborhood, it was concluded that current conditions make it difficult or impossible to implement the vision Remington residents have outlined over the past several years in meetings, workshops, and surveys.

To begin satisfying demonstrated demand for a walkable, dense, mixed use neighborhood, a comprehensive rezoning of historic small-scale neighborhood commercial buildings to their original intended purpose will mitigate vacancy and provide local access to opportunity and jobs.

These buildings have a common history. They were built and operated as small-scale, walkable neighborhood commercial corner stores. The recommendation will return these properties—many of which sit vacant—to their intended use. Each identified property has historic commercial features, and is distinctly commercial in appearance and prior use.

Transform Baltimore has a Neighborhood Commercial provision that could reactivate these buildings, but implementation has been delayed for years and an intermediate intervention is needed as to not further delay progress in Remington. Additionally, political debate has the potential to remove the Neighborhood Commercial provision from the new code altogether.

Transform Baltimore Recommendation

During the process of drafting an updated zoning code for Baltimore City, each neighborhood and property were examined to determine if the current zoning and its equivalent under the new proposed categories were appropriate. Several of the corner properties listed in this study were recommended to change from a residential zoning classification, R-8, to a commercial zoning classification, C-1. The C-1 classification under Transform Baltimore is described as “commercial clusters or pedestrian-oriented corridors of commercial uses that

serve the immediate neighborhood; Ensures compatibility between neighboring residential and commercial uses". This language is very similar to the description of the B-1 zoning classification under the existing zoning code.

Both zoning classifications are meant to serve the residents who live nearby in order to satisfy their basic shopping needs and are intended to seamlessly blend in with the residential character of the neighborhood. The Transform Baltimore recommendation recognizes the historic use and the current need for this type of commercial use in Remington. The Remington properties the Planning Department initially identified in Transform Baltimore that are proposed to become C-1 are:

B-3	B-3	B-2
300 W. 30th Street	2830 Miles Avenue	2701 Miles Avenue
302 W. 30th Street	2832 Miles Avenue	
400 W. 29th Street	2849 Miles Avenue	R-9
402 W. 29th Street	2847 Huntingdon Avenue	2828 Miles Avenue
404 W. 29th Street	329 W. 29th Street	2743 Miles Avenue
406 W. 29th Street	317 W. 29th Street	
408 W. 29th Street	227 W. 29th Street	R-8
410 W. 29th Street	2703 Miles Avenue	2846 Huntingdon Avenue
412 W. 29th Street	330 W. 27th Street	2800 Huntingdon Avenue
414 W. 29th Street	2710 Fox Street	2801 Huntingdon Avenue
416 W. 29th Street	2716 Fox Street	2740 Huntingdon Avenue
418 W. 29th Street	301 W. 28th Street	2747 Huntingdon Avenue
398 W. 29th Street	2724 Remington Avenue	2745 Huntingdon Avenue
2900 Huntingdon Avenue	2722 Remington Avenue	2602 Huntingdon Avenue
2833 Hampden Avenue	2718 Remington Avenue	2600 Huntingdon Avenue
2831 Hampden Avenue		
		R-7
		2701 Huntingdon Avenue

Historic Commercial Storefronts Currently Identified:

- 200 W. Lorraine Avenue
- 201 W. Lorraine Avenue
- 501 W. 27th Street
- 2648 Hampden Avenue
- 2600 Huntingdon Avenue
- 2602 Huntingdon Avenue
- 2623 Huntingdon Avenue
- 2658 Huntingdon Avenue
- 2701 Huntingdon Avenue

- 2740 Huntingdon Avenue
- 2745 Huntingdon Avenue
- 2800 Huntingdon Avenue
- 2801 Huntingdon Avenue
- 2900 Huntingdon Avenue
- 2656 Miles Avenue
- 2743 Miles Avenue
- 2800 Remington Avenue
- 3042 Remington Avenue

Rezoning Recommendations under Existing Zoning Code

As previously stated, one of the objectives of the study is to propose intermediate intervention that addresses some of the current land use/zoning issues in Remington absent a Citywide comprehensive rezoning. Though Transform Baltimore, the City's Comprehensive Rezoning effort is underway, it is unclear as to when the current legislation be adopted and enacted. To that end, this study proposes potential rezoning recommendations based on the existing zoning code based on the current land use/zoning issues in Remington.

The recommendation is for the historic store-front properties listed below to be comprehensively rezoned as B-1-2 under the current zoning code, and as C-1 in Transform Baltimore. Phase I will concentrate on properties adjacent to the 28th Street Corridor and south to 26th Street, building off the anchor mixed-use developments that are completed, currently underway, or planned in that corridor.

Historic Commercial Phase I (proposed zoning to B-1-2/C-1):

- 2623 Huntingdon Avenue (zoned R-7, currently a residence)
- 2701 Huntingdon Avenue (zoned R-7, currently a business)
- 200 West Lorraine Avenue (zoned R-8, currently vacant)



Locations of Historic Commercial Phase I Properties

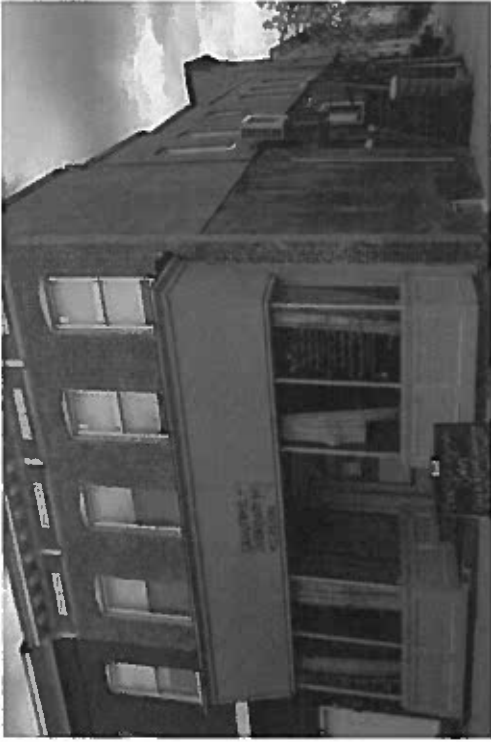


- 201 West Lorraine Avenue (zoned R-8, currently vacant)
- 2600 Huntingdon Avenue (zoned R-8, currently vacant)
- 2602 Huntingdon Avenue (zoned R-8, currently vacant)
- 2658 Huntingdon Avenue (zoned R-8, currently vacant)
- 2740 Huntingdon Avenue (zoned R-8, currently vacant)
- 2745 Huntingdon Avenue (zoned R-8, currently vacant)
- 2648 Hampden Avenue (zoned R-8, currently a residence)
- 501 West 27th Street (zoned R-8, currently vacant)
- 2656 Miles Avenue (zoned R-9, currently vacant)
- 2743 Miles Avenue (zoned R-9, currently a business)

While it is anticipated that a first phase rezoning would take place in advance of Transform Baltimore, there may be other rezoning proposals or actions in Remington. Like the comprehensive rezoning in Phase I, all historic commercial storefronts will be considered for rezoning to B-1-2 or C-1 in Phase II. All of the Phase II properties are north of 28th Street and not immediately in the footprint of the anchor developments mentioned. The phasing approach creates an opportunity to measure the success of Phase I before moving forward with the remaining properties.

Some properties that have been identified for a Phase II rezoning are:

- 2800 Huntingdon Avenue
- 2801 Huntingdon Avenue
- 2900 Huntingdon Avenue
- 2800 Remington Avenue
- 3042 Remington Avenue



Examples of businesses operating in R-8 zoned buildings identified in Phase II

The community also envisions adaptive reuse of underutilized historic buildings, welcoming conversions of old industrial and commercial sites to new uses that are compatible with the existing residential community, as exemplified by the conversion of the tire shop into a butchery, restaurant, and theater mentioned earlier in this document.

Summary

Remington is changing now with major development projects underway that will serve as anchor commercial spaces in the neighborhood. These major developments in the neighborhood provide an immediate opportunity to activate other long-vacant properties with smaller scale commercial uses, taking advantage of the current national attention on development and commercial activity in Remington.

The existing zoning conditions are limiting, and because the Transform Baltimore zoning conditions have yet to be implemented, the community cannot currently foster many of the uses, specifically commercial uses, identified as most-wanted and needed by residents in Remington.

The increased revitalization efforts in Remington indicate that the rezoning of these properties under the existing zoning code could be supported in advance of the Transform Baltimore adoption. There is opportunity, now, to improve Remington and reduce vacancies, filling residents' demand for new small-scale commercial in historic corner stores.

It is clear that the historic intended use of these types of non-residential properties were to support neighborhood scale commercial uses creating a walkable and vibrant community. This is further substantiated with the Transform Baltimore zoning recommendation that these properties become C-1, neighborhood commercial.