


TJA

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #13-0208 / REZONING 2600 NORTH HOWARD STREET		

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

DATE: April 19, 2013

At its regular meeting of April 18, 2013, the Planning Commission considered City Council Bill #13-0208, for the purpose of changing the zoning for the property known as 2600 North Howard Street, from the M-1-2 Zoning District to the B-2-2 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #13-0208 and adopted the following resolution, nine members being present (nine in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #13-0208 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. Kaliopé Parthemos, Deputy Chief for Economic and Neighborhood Development
- Mr. Alex Sanchez, Chief of Staff
- 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
- Mr. Nicholas Blendy, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services
- Mr. Evan Morville, Seawall Development Co.



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

## STAFF REPORT



*Thomas J. Stosur*  
Director

**April 18, 2013**

### **REQUEST:**

- City Council Bill 13-0208/ Rezoning – 2600 North Howard Street  
For the purpose of changing the zoning for the property known as 2600 North Howard Street, as outlined in red on the accompanying plat, from the M-1-2 Zoning District to the B-2-2 Zoning District.

**RECOMMENDATION:** Approval

**STAFF:** Martin French

**PETITIONER:** Seawall Development Company

**OWNER:** 2600 North Howard Street LLC

### **SITE/ GENERAL AREA**

Site Conditions: 2600 North Howard Street is located on the northwest corner of the intersection with 26<sup>th</sup> Street. This property is zoned M-1-2 and currently improved with a one-story commercial-industrial building covering the entire lot that was used as an automobile repair garage in the 1940s and a dry cleaning establishment in the 1960s. The M-1 zoning adopted in 1971 permitted dry cleaning establishments by right. Most recently the building contained a tire shop.

General Area: To the north and west of this vacant industrially-zoned property is the predominantly residential neighborhood of Remington; on the eastern side of Howard Street is the predominantly residential neighborhood of Charles Village. Both of these neighborhoods have had and continue to have non-residential uses mixed in among their housing stock. The southern side of this property looks out over the sunken railbed of the Baltimore Belt Railroad, built in the 1880s. Across the railroad cut is an area of mixed commercial and small industrial uses.

### **HISTORY**

There is no recent legislative history concerning this property.

## CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1, Build Human and Social Capital by Strengthening Neighborhoods, Objective 2: Strategically Redevelop Vacant Properties throughout the City.

## ANALYSIS

Previous commercial and light industrial uses have vacated this property, while repurposing of the Millers Court building across Howard Street from this property has demonstrated that there is market demand in this area for mixed-use redevelopment of economically obsolete properties. Rezoning this property would permit creation of a mixed-use commercial and cultural center at the intersection of two residential neighborhoods which support entertainment and the arts as part of a balanced urban lifestyle.

The petitioner intends to renovate the eastern section of the existing structure to be a restaurant, a live entertainment venue, and offices, while demolishing the western section of the existing structure to create an off-street parking area to serve the new uses of the property. This plan has been reviewed and approved by the Site Plan Review Committee. Conditional use approval for offices and an auditorium on this property has been granted by the Board of Municipal and Zoning Appeals. However, use of the auditorium would remain severely restricted because live entertainment, such as possible use of this property by the Single Carrot Theater, is only permitted in the Zoning Code if it is accessory to a restaurant or tavern. As restaurants are not permitted in M-1 Districts, the petitioner is requesting that this property be rezoned to B-2.

Planning staff's rationale for supporting the rezoning is based on two principal concepts: 1) the mechanics of rezoning properties as required by the Land Use article of the Maryland Code, which governs how and when land can be rezoned, and 2) the general goal to balance various land uses.

### **Maryland Code Land Use article Requirements for Rezoning:**

The Land Use article of the Maryland Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular neighborhood in the vicinity of the proposed changes. In reviewing this request, the staff finds that:

- 1. The Plan:** The Comprehensive Master Plan calls for strategic redevelopment of vacant properties throughout the City (Live Goal 1, Objective 2). The proposed action would facilitate redevelopment of a functionally and economically obsolete property into a neighborhood asset, a mixed-use restaurant-office-theater building with off-street parking.
- 2. The needs of Baltimore City:** Other industrially-zoned areas provide opportunities for economically viable manufacturing use; this site is no longer economically viable for that use.
- 3. The needs of the particular neighborhood:** There is demand for locally-oriented personal services, retail/restaurant, and entertainment zoning for this particular area

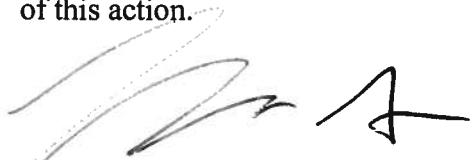
where two neighborhoods come together, and the availability of small office spaces would add live-near-your-work strength to the residential real estate market in this area.

Similarly, the Land Use article requires the City Council to make findings of fact. The findings of fact include:

1. **Population changes;** There have been significant incremental increases in population in this area, causing a demand for additional commercially zoned properties in this area.
2. **The availability of public facilities;** Adequate public facilities exist in this area for a wide range of uses.
3. **Present and future transportation patterns;** There are limited anticipated changes or additional demands on the transportation patterns in this area.
4. **Compatibility with existing and proposed development for the area;** the requested commercial zoning would share a block with the existing R-8 neighborhood and would be more compatible with it than the current manufacturing zoning. But for the interposing M-2 zoning applied to the railroad cut on the southern side of West 26<sup>th</sup> Street west of Howard Street, this property would become the northwestern corner of the larger commercial district along 25<sup>th</sup> Street.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** for the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA will comment separately on this bill.
6. **The relation of the proposed amendment to the City's plan.** Rezoning would be consistent with the Comprehensive Master Plan, and supportive of the goal of strategically redeveloping vacant properties in the City.

To summarize, the proposed change is consistent with the character of the neighborhoods adjoining Howard Street in this area, while meeting the requirements of the Land Use article of the Maryland Code. The zoning change would assist meeting the Comprehensive Master Plan goal of strengthening neighborhoods and objective of strategic redevelopment of vacant properties, would convert a site no longer viable for industrial use to other uses for which there is demand, and allow the site to be converted to an asset serving two immediate neighborhoods and the residents of Baltimore at large.

Staff notified the Greater Remington Improvement Association, Remington Neighborhood Alliance, Charles Village Civic Association, and Greater Homewood Community Corporation of this action.



**Thomas J. Stosur**  
**Director**