

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #14-0456 / REZONING 2001, 2011, 2013, 2105, 2107, AND 2201 WEST COLD SPRING LANE

CITY of
BALTIMORE
MEMO



TO

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

DATE: December 5, 2014

At its regular meeting of December 4, 2014, the Planning Commission considered City Council Bill #14-0456, for the purpose of changing the zoning for the property known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane from the M-1-1 Zoning District to the B-2-3 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #14-0456 and adopted the following resolution seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #14-0456 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
- Ms. Sheila Wyche, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Melissa Krafchik, PABC
- Ms. Natawna Austin, Council Services
- The Honorable Sharon Green Middleton



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

December 4, 2014

REQUESTS:

City Council Bill #14-0449/ Urban Renewal - Coldspring Neighborhood Development Program - Amendment

For the purpose of amending the Urban Renewal Plan for Coldspring Neighborhood Development Program to delete an existing land use and to add a new land use to the Plan, to establish design standards for the new land use, to remove certain language from a development objective, to delete the acquisition and clearance provisions from the Plan, and to delete a certain exhibit from the Plan; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

City Council Bill #14-0456/ Rezoning - 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane

For the purpose of changing the zoning for the properties known as 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane (Block 3357E, Lots 001, 005A, 005B, 006, 007/009, 009A), as outlined in red on the accompanying plat, from the M-1-1 Zoning District to the B-2-3 Zoning District.

RECOMMENDATIONS:

City Council Bill #14-0449/Urban Renewal - Coldspring Neighborhood Development Program - Amendment

Approval with the following amendment:

In the Plan, under C. 2. f. add public utilities to the permitted uses within the Public Land Use for Disposition Lot 1 only, and update Exhibits ND 401-1: Land Use, ND 401-3: Disposition and ND 401-4: Zoning (see Figures 2, 3 and 4, attached).

City Council Bill #14-0456/Rezoning - 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane

Approval.

STAFF: Alexandra Hoffman

COMPREHENSIVE PLANNER: Katie-Rose Imbriano (Northern District)

PETITIONER: Councilwoman Sharon Green Middleton

OWNER(S): Multiple

SITE AREA

Coldspring Neighborhood Development Program Urban Renewal Plan: The Coldspring Neighborhood Development Program Urban Renewal Plan generally encompasses the Woodberry and Coldspring neighborhoods south of W. Northern Parkway, west of the Jones Falls Expressway, north of Druid Hill Park and east of Greenspring Avenue. The Plan area includes the Loyola Athletic Fields and the Northern District Police Station south of West Cold Spring Lane and Cylburn Arboretum and Sinai Hospital to the north. The Cold Spring Lane Station for the light rail is located at the southwest corner of the West Cold Spring Lane overpass to the Jones Falls Expressway.

2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane: These West Cold Spring Lane properties are located west of the Cold Spring Lane Station for the light rail and are the site of the Coldspring Transit-Oriented Development proposed in the land use change in the Urban Renewal Plan amendment and the companion rezoning bill (see Figure 1: Rezoning Plat, attached). The Coldspring Transit-Oriented Development site is currently used as for multiple uses including: wholesale florist operation, open space, and public utilities.

HISTORY

Coldspring Neighborhood Development Program Urban Renewal Plan: The Coldspring Neighborhood Development Program Urban Renewal Plan was approved by the Mayor and City Council of Baltimore via Ordinance No. 242 on January 8, 1973. It was last amended via Ordinance No. 175, approved June 30, 1997 (Amendment #9).

2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane: The Coldspring Transit-Oriented Development site properties have not been the subject of any previous Planning Commission action.

ANALYSIS

The purpose of City Council Bill #14-0449/ Urban Renewal - Coldspring Neighborhood Development Program - Amendment is to amend the Coldspring Neighborhood Development Program Urban Renewal Plan to add a new Transit-Oriented Development land use for the proposed Coldspring Transit-Oriented Development site and recommend rezoning for those properties from M-1-1 to B-2-3. The Transit-Oriented Development land use would further restrict the permitted uses in the proposed B-2-3 zoning. The bill would also create design standards for the Transit-Oriented Development land use.

The Bill would also update the Statement of Development Objectives of the Urban Renewal Plan to be consistent with the proposed Transit-Oriented Development, remove an unused Town Center land use from the text. Property acquisition authority is proposed to be removed from both the Urban Renewal Plan text and exhibits since no property acquisition is planned or anticipated at this time.

City Council Bill #14-0456/ Rezoning - 2001, 2011, 2013, 2105, 2107, and 2201 West Cold Spring Lane would implement the proposed zoning for the Coldspring Transit-Oriented

Development site recommended in City Council Bill #14-0449/Urban Renewal - Coldspring Neighborhood Development Program – Amendment.

These bills are both consistent with the Planning Department’s recommendation for Transit-Oriented Development zoning for the Coldspring Transit-Oriented Development site under TransForm Baltimore, the draft new Zoning Code, (amended and approved by the Planning Commission on September 21, 2013).

Proposed Amendment: The Planning Department recommends that City Council Bill #14-0449 be amended to update both exhibit ND 401-1: Land Use to reflect the proposed change in land use from Industrial and Public to Transit-Oriented Development and exhibit ND 401-4: Zoning Districts to reflect the proposed change in zoning from M-1-1 to B-2-3 for the Coldspring Transit-Oriented Development site. Additionally, it is recommended that ND 401-3: Disposition be amended to create disposition authority for the Coldspring Transit-Oriented Development site to enable the disposition of an unused portion of the Northern District Police Station property to augment the Coldspring Transit-Oriented Development site. It is also recommended that City Council Bill #14-0449 be amended to add public utilities to the list of uses permitted in the Public Land Use for Disposition Lot 1 only to facility a land swap that would result in BGE locating on a portion of Disposition Lot 1. Therefore, the description of the Land Use for Disposition Lot 1 on Exhibit ND 401-3: Disposition should also be updated from “Public Park/Recreation” to “Public Park/Recreation and Public Utility.”

Conformity to Comprehensive Master Plan: These City Council Bills are both compatible with the Comprehensive Master Plan for Baltimore City, specifically:

LIVE

Goal 1: Build Human and Social Capital by Strengthening Neighborhoods

Objective 2: Strategically Redevelop Vacant Properties Throughout the City

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

Maryland Land Use Code – Requirements for Rezoning:

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. the plan; 2. the needs of Baltimore City; and 3. the needs of the particular neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

1. The Plan: see the “Conformity to Comprehensive Master Plan” section, above, and fulfilling the proposed recommended zoning within the Coldspring Neighborhood Development Program Urban Renewal Plan under CCB #14-0449.
2. The needs of Baltimore City: Allows for expanded mixed-use and transit-oriented development opportunities.

3. The needs of the particular neighborhood: Allows for expanded retail and housing options that will support additional activity surrounding the light rail's Cold Spring Lane Station and encourage ridership at that location.

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

1. Population changes: Between the 2000 census and the 2010 census, the Coldspring neighborhood experienced a 16.9% increase in population and the Woodberry neighborhood experienced a 26.6% increase in population.
2. The availability of public facilities: The property is well-served by streets, utilities, police, fire and schools as well as proximity to the Cold Spring Lane Station for the light rail.
3. Present and future transportation patterns: The proposed zoning change acknowledges the proximity to the Cold Spring Lane Station for the light rail which did not exist in 1971 when the present M-1-1 zoning was designated.
4. Compatibility with existing and proposed development for the area: The proposed zoning change acknowledges the potential for mixed-use development that has synergies with the site's proximity to the Cold Spring Lane Station for the light rail which did not exist in 1971 when the present M-1-1 zoning was designated.
5. The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA): For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA has not yet commented on this bill.
6. The relation of the proposed amendment to the City's plan: See "Conformity to Comprehensive Master Plan" section, above, and fulfilling the proposed recommended zoning within the Coldspring Neighborhood Development Program Urban Renewal Plan under CCB #14-0449.

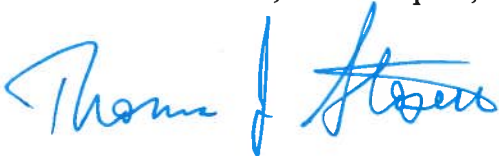
The City Council may grant the amendment to change the zoning classification based on a finding that there was: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification. This zoning change would qualify under (i) a substantial change in the character of the neighborhood. The character of the proposed Coldspring Transit-Oriented Development site has changed significantly since the Cold Spring Lane light rail station was opened in the early 1990s. The introduction of transit to the area made this particular property, which is adjacent to the light rail station, prime for transit-oriented development. Additionally, the adjacent properties which were also zoned industrial have changed character and are now being used for the Northern District Police Station and Loyola's athletic complex. Considering these substantial changes to the area, the M-1-1 zoning designation from 1971 is no longer appropriate for the subject properties. This zoning change will fulfill the proposed recommended zoning within the Coldspring Neighborhood Development Program Urban Renewal Plan under CCB #14-0449.

Transform Baltimore: The Transform zoning recommendation for these particular properties is that they be rezoned to TOD-2. This new Transit Oriented Development category was created under the proposed zoning code to encourage development conducive to increased transit usage. TOD-2 is employed in areas around existing and anticipated transit stations. It provides height restrictions consistent with a mid-rise building and allows for a full mix of retail use. The uses which would be allowed by the recommended zoning change under these bills to B-2-3 are consistent with the uses which would be allowed by the TOD-2 rezoning recommended by Transform.

As part of the review of this request, the rezoning standards and Transform Baltimore recommendations were considered.

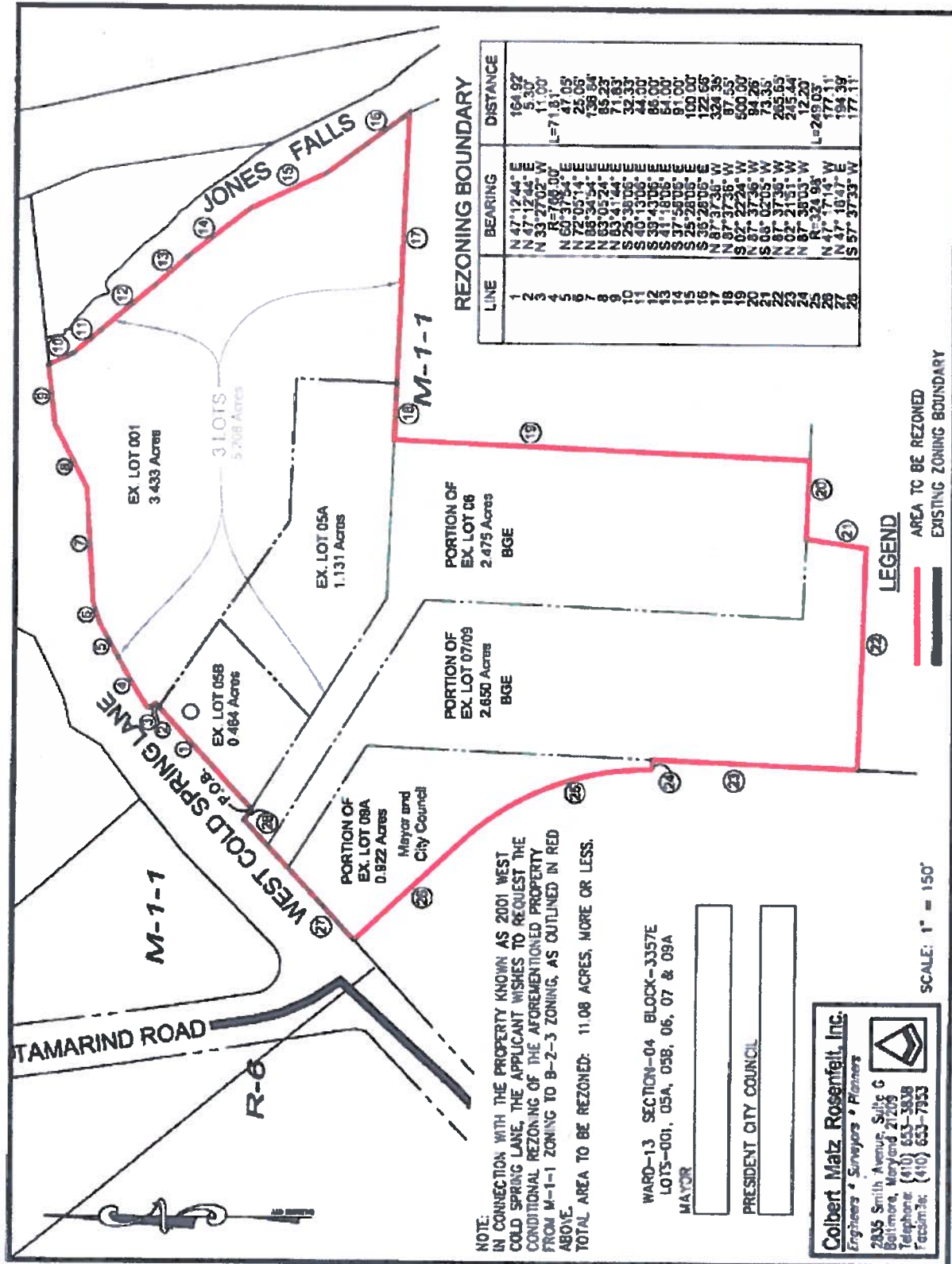
COMMUNITY NOTIFICATION

Staff has notified the following groups of the requested action: Coldspring Community Association, Concerned Citizens of Woodberry, Cylburn Arboretum Association, Greenspring Trails Association, Sinai Hospital, and Urban Forestry Initiative.



Thomas J. Stosur
Director

Figure 1: Rezoning Plat



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Figure 2: Proposed "Exhibit ND 401-1: Land Use"

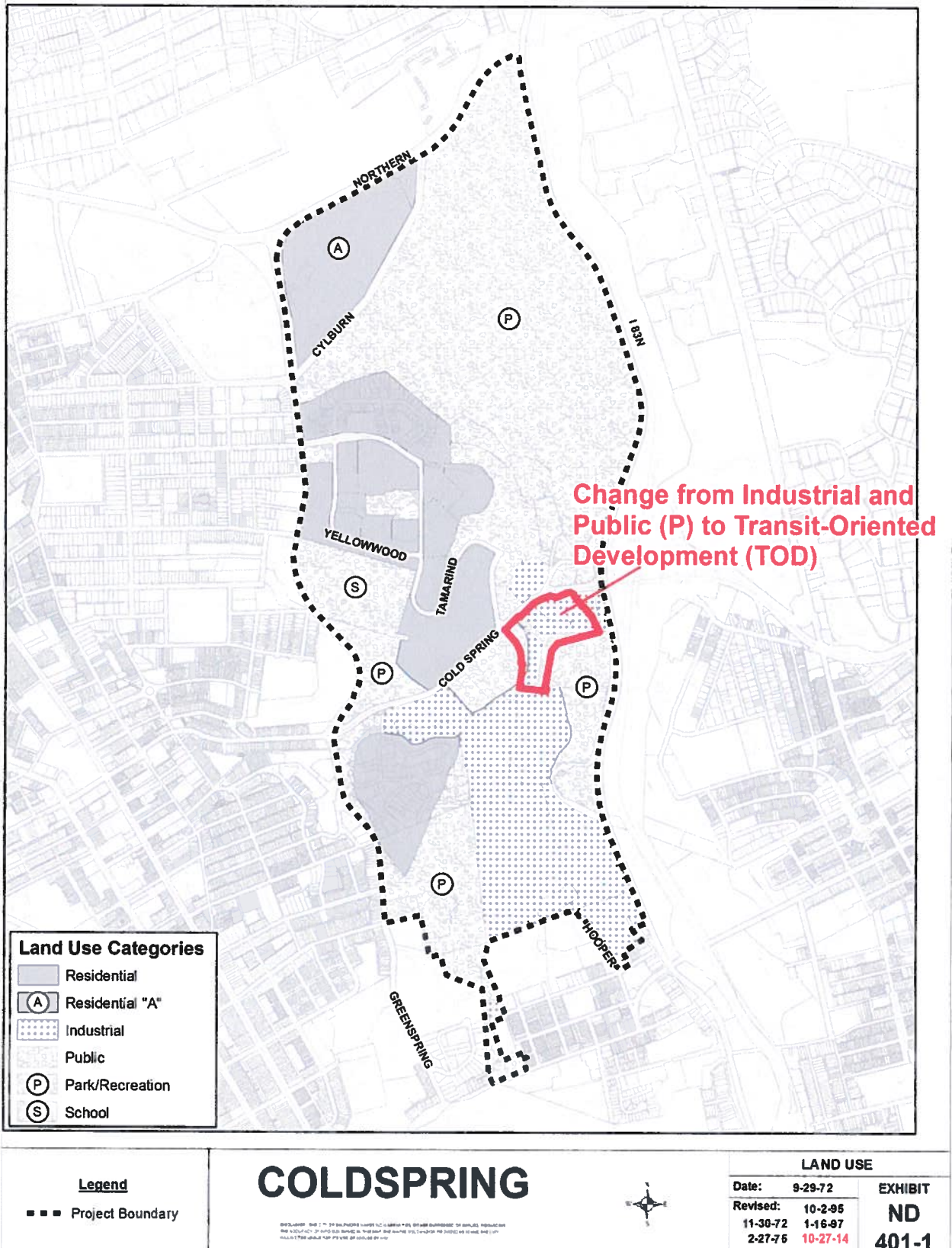


Figure 3: Proposed "Exhibit ND 401-3: Disposition"

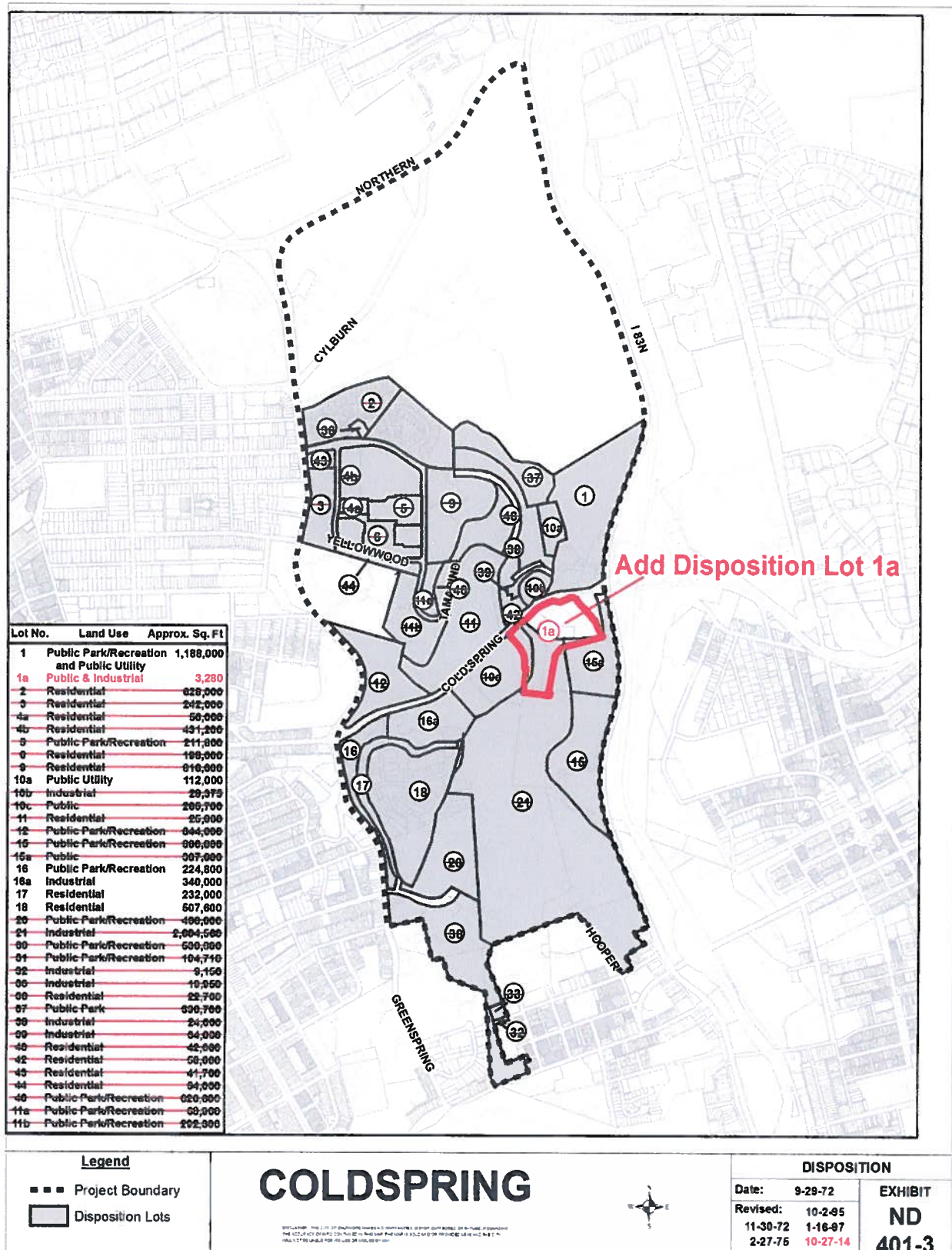


Figure 4: Proposed “Exhibit ND 401-4: Zoning”

