

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #12-0013 / REZONING- 2801-2841 REMINGTON AVENUE		

TO

DATE:

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

March 9, 2012

At its regular meeting of March 8, 2012, the Planning Commission considered City Council Bill #12-0013, for the purpose of changing the zoning for the properties known as 2801- 2841 Remington Avenue, as outlined in red on the accompanying plat, from the B-3-2 Zoning District to the R-7 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #12-0013 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 to amend the Bill to provide for the rezoning of the parcels from the B-3-2 district to the R-8 district, and recommends that City Council Bill #12-0013 be amended and 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 Mayor
 Mr. Peter O'Malley, 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
 Ms. Mary Pat Clarke, City Council



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 8, 2012

REQUESTS: City Council Bill #12-0013/ Rezoning – 2801-2841 Remington Avenue

For the purpose of changing the zoning for the properties known as 2801-2841 Remington Avenue from the B-3-2 Zoning District to the R-7 Zoning District.

RECOMMENDATION: Amend and Approve.

STAFF: Anthony Cataldo

PETITIONER: Administration (City Council)

OWNER: Multiple Property Owners

SITE/GENERAL AREA

Site Conditions: The subject properties are bounded by Remington Avenue to the west, 28th Street to the South, 29th Street to the north and an alley to the east. This area corresponds to Block 3650C, Lots 27-47 and comprises approximately 0.5 acres under the B-3-2 Commercial zoning classification. The land is currently improved with 3-story rowhomes.

General Area: The subject site is in the Northern District of the City, and specifically the Remington neighborhood. The Remington neighborhood is a diverse area with a mix of residential, commercial, and industrial uses. Located just west of Howard Street, this residential block sits within a mix of residential and commercial buildings.

HISTORY

There have been no formal actions on these properties in the past. However, there is a current Request for Proposals issued by the Baltimore City Department of Housing and Community Development, Baltimore Housing Land Resources Division for the redevelopment of nine scattered site vacant properties on this block of Remington Avenue. The RFP was issued on December 22, 2011 and had a closing date of February 17, 2012. DHCD is currently reviewing the submissions.

CONFORMITY TO PLANS

Rezoning meets the required standards for a rezoning found in the Annotated Code of Maryland and the Baltimore City Zoning Code. Furthermore the request conforms to the Baltimore City Comprehensive Master Plan, most notably LIVE Goal 1, Objective 2: Strategically Redevelop Vacant Properties throughout the City.

ANALYSIS

City Council Bill #12-0013 calls for the rezoning of the parcels from the B-3-2 zoning category to the R-7 zoning category. Analysis of the site and the existing rowhouses, which are to remain, finds that the R-7 category is not appropriate for these parcels. Under the current zoning code, all properties, with the exception of 2831, would be conforming in lot area to the R-8 zoning category and non-conforming in the proposed R-7 category. The front setback requirement would also be conforming in R-8, but non-conforming in the R-7 zone.

<u>Zoning</u>	<u>Use</u>	<u>Min. Attached Dwelling Lots size</u>	<u>front yard</u>	<u>rear yard</u>	<u>FAR</u>	<u>Lot Coverage</u>
B-3-2	Commercial/ residential/office	1,100 sf	0'	30'	2.5	
R-7	Residential	1,100 sf	20'	25'	1.2	50%
R-8	Residential	750 sf	0'	25'	2	60%

Furthermore, the RFP that was released by DHCD specifically notes that the redevelopment of the nine scattered site parcels in this block should rely on future rezoning to R-8 and not the current B-3-2 zoning. The draft maps in Transform Baltimore, the Baltimore City zoning code re-write also propose that these parcels be rezoned from their current commercial use to R-8 in order to more accurately reflect the current built structures on the site. With this, staff recommends amending the current Bill to provide for the rezoning from the B-3-2 category to R-8 in accordance with the RFP, Transform Baltimore recommendations, and required findings of fact.

Staff has determined this request to be a permissible rezoning, given that the request for a zoning change meets the standards of Article 66B of the Maryland Annotated Code, and those of the Baltimore City Zoning Code.

Article 66B

The Mayor and City Council may periodically amend or reclassify the zoning of a particular property after making specific findings of fact; determining that there has either been a change in the character of the neighborhood where the property is located or a mistake in the existing zoning classification; and studying 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.

Detailed **Findings of Fact** are as follows:

1. Population changes

During the last decade the Remington neighborhood has seen an increase in population density as more people are redeveloping parcels and investing in their homes throughout the neighborhood.

2. The availability of public facilities

Adequate public facilities are available for a variety of uses.

3. **Present and future transportation patterns**
The parcels are conveniently located near major transportation roadways and bus lines.
4. **Compatibility with existing and proposed development for the area**
Just southeast of the parcels is an approved major redevelopment project. The 25th Street Station PUD calls for a mixed use development including large box and neighborhood retail as well as additional housing units. The rezoning and redevelopment of these parcels fits well within the mixed use nature of this neighborhood and the proposed changes within the neighborhood.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals**
To be determined, though Department of Planning staff recommends amendment and approval of the rezoning request.
6. **The relation of the proposed amendment to the City's plan**
There are no elements of Baltimore City's Comprehensive Master Plan that speak to the specific question of a rezoning of the subject property. However, the request conforms to the Baltimore City Comprehensive Master Plan, most notably LIVE Goal 1, Objective 2: Strategically Redevelop Vacant Properties throughout the City. Transform Baltimore also proposes the rezoning of these parcels from B-3-2 to R-8.

Change/Mistake

Informed by the findings of fact, the City Council may grant a rezoning based on the finding that there has been a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the original classification. Staff finds that there has been a significant change in the area due most notably to the increased strength and redevelopment of the residential market in this area as well as proposed large scale commercial redevelopment nearby. Specifically, since the intent is to retain and redevelop the existing rowhomes, rezoning to a residential category is appropriate.

Other Considerations

1. **The Plan**
The request conforms to the Baltimore City Comprehensive Master Plan, most notably LIVE Goal 1, Objective 2: Strategically Redevelop Vacant Properties throughout the City.
2. **The needs of Baltimore City**
The Baltimore City Comprehensive Master Plan recognizes the need to pursue policies that allow for and encourage increased development of vacant parcels. As stated previously, nine of the outlined parcels have been offered in an RFP by DHCD for redevelopment as residential units.
3. **The needs of the particular neighborhood**
Remington is a historic mixed use neighborhood where people live, work, and play. There has been an increase in investments throughout the neighborhood and appropriately rezoning these parcels to match the existing structures and use will help foster redevelopment and investment of these parcels.

Section 16-305 of the Baltimore City Zoning Code

The Planning Commission must first find the change to be in the public interest and not solely for the interest of the applicant. In this case, the request will promote preservation of the existing structures in a manner compatible with the neighborhood.

Additionally, the Commission must consider:

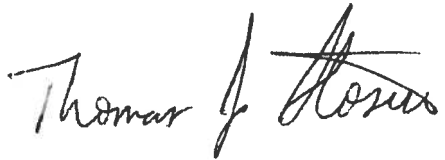
- 1. Existing uses of property within the general area of the property in question**
Remington is a historic neighborhood which builds its strength on the diverse land uses within its borders. This rich mix of land uses is true for the subject sites as well. In the immediate vicinity of the parcels, there are commercial establishments and rowhomes.
- 2. The zoning classification of other property within the general area of the property in question**
As already stated, there is a mix of zoning on surrounding properties. Immediately adjacent zoning categories include B-3-2 and R-8 with the addition of R-7 on nearby larger lots.
- 3. The suitability of the property in question for the uses permitted under its existing zoning classification**
While the subject sites are existing rowhomes which are permitted in B-3-2, this higher density, commercial zoning allows for auto dependent, large footprint commercial uses that are in contrast to the existing rowhouses on site which is currently a mix of homeowners, renters, and parcels for residential redevelopment.
- 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**
Since enactment of the 1971 zoning code, the City has seen many redevelopments of commercial and industrial parcels into residential lots. There has been an increased desire for a mix of uses within a neighborhood so that all the conveniences of everyday life are present within a short walk of your home. This is true of the Remington Neighborhood which has historically had this mix of land uses. Rezoning the parcels to match the existing residential rowhomes would aligns with the historic land use pattern of the neighborhood as well as the current day development trends we are experiencing throughout the City.

Amendment

With the analysis presented, the Department of Planning staff recommends to amend the Bill to rezone the properties from B-3-2 to R-8 and approve the proposed rezoning request. As stated previously, Transform Baltimore, the Zoning Code Rewrite, also proposes the change in zoning from Commercial to Residential.

Notification

The following parties have been notified of the requested actions: Remington Neighborhood Alliance, Greater Remington Improvement Association, and the Greater Homewood Community Corporation.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a large, sweeping initial 'T'.

Thomas J. Stosur
Director

