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| FROM | NAME & TITLE | CHRIS RYER, DIRECTOR <i>Chris Ryer</i> | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET | | |
| | SUBJECT | CITY COUNCIL BILL #24-0581 / REZONING – 200 NORTH CENTRAL AVENUE | | |

TO

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

DATE: September 13, 2024

At its regular meeting of September 12, 2024, the Planning Commission considered City Council Bill #24-0581, for the purpose of changing the zoning for the property known as 200 North Central Avenue (Block 1320, Lot 001), as outlined in red on the accompanying plat, from the EC-2 Zoning District to the C-2 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 #24-0581 and adopted the following resolution:

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0581 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

September 12, 2024

REQUEST: City Council Bill #24-0581/ Rezoning – 200 North Central Avenue:

For the purpose of changing the zoning for the property known as 200 North Central Avenue (Block 1320, Lot 001), as outlined in red on the accompanying plat, from the EC-2 Zoning District to the C-2 Zoning District.

RECOMMENDATION: Adopt Findings and Approve with Amendment to include 249 Aisquith as part of the rezoning

STAFF: Caitlin Audette

PETITIONER/OWNER: 200 North Central Avenue, LLC; Mike Knoepfle

SITE/GENERAL AREA

Site Conditions: The property in question was originally built as a city school in 1924, serving the growing east Baltimore community. The site fronts on Central Avenue and extends north to Orleans, and west to Aisquith St. Owned by the Sojourner Douglas College from 2001-2023, the property has been vacant since the closing of Sojourner Douglas College in 2015.

General Area: Located within the PSO Transformation Plan footprint, the property is located opposite the Enoch Pratt Library – Orleans Street Branch, near to Johns Hopkins Hospital, and south of the Somerset redevelopment site located just north of Orleans Street.

HISTORY

The property was sold by the Mayor and City Council in 2001. No other legislative actions have been taken for this property.

CONFORMITY TO PLANS

The property is located within the boundaries of the Oldtown Redevelopment Plan, which dates to 2010 and references the then existing Sojourner Douglas College. The property is also within the 2023 Perkins Somerset Oldtown Transformation Plan, but is not directly addressed within the plan. A rezoning of the site would not negatively impact the plan.

ZONING CODE REQUIREMENTS

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

- (b) *Map amendments.*
 - (1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
 - (ii) a mistake in the existing zoning classification.
- (2) *Required findings of fact.*
In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:
- (i) population changes;
 - (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 City agencies and officials; and
 - (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.
- (3) *Additional standards – General*
Additional standards that must be considered for map amendments are:
- (i) existing uses of property within the general area of the property in question;
 - (ii) the zoning classification of other property within the general area of the property in question;
 - (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
 - (iv) 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.

ANALYSIS

The property has not had an active use since the closure of the Sojourner Douglass College in 2015, and its use as part of a university campus is not the proposal of the current owner. With this change from an active campus to a new use the EC-2 zoning, which is intended for university or college campuses, is no longer appropriate.

Required Findings:

Per §5-508(b)(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification.

Change: With the closure of Sojourner Douglas College in 2015, and the creation of the Perkins Somerset Oldtown Transformation Plan in 2018, the property and surrounding area have, and are continuing to undergo a substantial change. The Transform rezoning process took place over several years, culminating in 2016, shortly after the college closed in 2015. At that time, the college still owned the land, and it was unclear if they would reopen. Since that time, the property has been sold, and the current owners have no interest in utilizing the space for a post-secondary education facility.

Maryland Land Use Code – Requirements for Rezoning:

The Land Use Article of the Maryland Code requires the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA) 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 Code, Land Use § 10-305 (2023)). In reviewing this request, the staff finds that:

- 1. The Plan:** The 2010 Oldtown Redevelopment Plan envisioned the Sojourner Douglas Campus growing with two new buildings and a parking garage. The closure of the school, and the lack of another interested post-secondary school makes this portion of the plan irrelevant. The property is within the Perkins Somerset Oldtown Transformation Plan Boundary but is not called out specifically. This rezoning would not negatively impact that plan.
- 2. The needs of Baltimore City:** There is no immediate need to preserve this small footprint of EC-2 zoning. The development related to the PSO Plan to the north supports the shift to C-2 in the area.
- 3. The needs of the particular neighborhood:** This area is experiencing investment through redevelopment associated with the PSO Plan. This rezoning eliminates a barrier for continued investment by other entities not associated with the PSO Plan.

Similarly, the Land Use article, also adopted by Article 32 – *Zoning* §5-508(b)(2), requires the City Council to make findings of fact (MD Code, Land Use § 10-304 (2023)). The findings of fact include:

- 1. Population changes;** The area saw a decrease in population from 713 to 648 between the 2010 and 2020 census. However, with the development of the Somerset site to the north, the immediate area the population in the immediate area is likely increasing. Three of four total building are complete and the total number of new units will be 558 units.
- 2. The availability of public facilities;** This area is well served by public utilities, which will continue to serve the area.
- 3. Present and future transportation patterns;** The rezoning of this property will not significantly impact area transportation patterns which include heavy traffic along Orleans Street to the north.
- 4. Compatibility with existing and proposed development for the area;** The property is seeing increased development as part of the PSO Plan. The proposed rezoning is compatible with the development.
- 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.** There are no relevant provisions of any adopted plan that will be impacted by the proposed rezoning.

There are additional standards under Article 32 – *Zoning* §5-508(b)(3) that must be considered for map amendments. These include:

- (i) **existing uses of property within the general area of the property in question;** the immediate area includes a fast food restaurant, senior housing, public library, secondary school, and multi-family housing.
- (ii) **the zoning classification of other property within the general area of the property in question;** the properties along Orleans Street are zoned either C-2 or R-10, while the properties to the south are zoned R-8.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and** The property was purpose built as a city school in 1924, like many buildings of its era it is well positioned for adaptive reuse as many different allowed uses in C-2 including multi-family.
- (iv) **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.** The development of the former Somerset Homes north of Orleans Street is part of the PSO Transformation Plan and includes new multi-family housing, a new grocery store, and a new park.

Below is the staff’s review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that this change is in the public’s interest, in that it will allow for the adaptive reuse of the property and allow the new ownership to activate the site.

Equity: The proposed rezoning would allow the currently vacant site to be more easily utilized for new development. This would positively impact the surrounding community as it would add active uses to the area. Additional housing, if that is ultimately is built here, will add more density to the area. Continued investment in the area is needed after many years of disinvestment. The community has been notified of the proposed rezoning. Any new development of the site will need to include meaningful engagement. Staff does not expect any significant impact to time or resources outside of routine development review.

Notification: Jonestown Neighborhood Association, Oldtown Merchants Association, VOLAR, Change4Real, Perkins Homes Tenant Council, Monument East Tenant Council, Pleasant View Gardens, Stirling Street Neighbors, Washington Hill among others have been notified of this action, including over one hundred individuals.

Amendment: Staff recommends an amendment to include the adjacent property at 249 Aisquith Street in the rezoning from EC-2 to C-2. The property is directly adjacent to 200 N. Central and was previously owned by the Sojourner Douglas College, who previously intended to renovate it for use as part of its campus. The site is a City Landmark known as the Eastern Female High School. At the July 2023 CHAP Hearing, the Commission voted favorably on the motion to approve the concept for a 4-story addition for multi-family housing. The context and reasoning for the rezoning of 200 N. Central is the same for the property at 249 Aisquith.

Chris Ryer

Chris Ryer
Director