

TJA

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 #12-0097 / REZONING – PROPERTIES IN THE COLDSTREAM HOMESTEAD MONTEBELLO URBAN RENEWAL AREA		

TO

DATE:

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

July 13, 2012

At its regular meeting of July 12, 2012, the Planning Commission considered City Council Bill #12-0097, for the purpose of changing the zoning for certain properties in the Coldstream Homestead Montebello Urban Renewal Area: as outlined in red on the accompanying plats, from the B-1-2 Zoning District to the R-6 Zoning District; as outlined in pink on the accompanying plats, from the B-2-2 Zoning District to the R-6 Zoning District; as outlined in lavender on the accompanying plats, from the R-7 Zoning District to the R-6 Zoning District; as outlined in turquoise on the accompanying plats, from R-7-P Zoning District to the R-6 Zoning District; and as outlined in blue on the accompanying plats, from the R-8 Zoning District to the R-6 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 #12-0097 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, and recommends that City Council Bill #12-0097 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. Kaliope 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
 Councilmember Mary Pat Clarke, 14th District
 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



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

July 12, 2012

REQUEST: City Council Bill #12-0097/ Rezoning – Properties in the Coldstream Homestead Montebello Urban Renewal Area

For the purpose of changing the zoning for certain properties in the Coldstream Homestead Montebello Urban Renewal Area: as outlined in red on the accompanying plats, from the B-1-2 Zoning District to the R-6 Zoning District; as outlined in pink on the accompanying plats, from the B-2-2 Zoning District to the R-6 Zoning District; as outlined in lavender on the accompanying plats, from the R-7 Zoning District to the R-6 Zoning District; as outlined in turquoise on the accompanying plats, from the R-7-P Zoning District to the R-6 Zoning District; and as outlined in blue on the accompanying plats, from the R-8 Zoning District to the R-6 Zoning District.

RECOMMENDATION: Amendment and Approval, with the following amendments:

- That on page 22, in lines 43 and 44, 1748 and 1750 Abbotston Street are deleted and added to the B-2-2 to R-6 list on Page 2, following line 29, as new lines 30-38.
- That on page 15, in lines 23-31, the addresses in the odd-side of the street from 1751-1767 Abbotston Street are deleted and added to the B-2-2 to R-6 list following the addresses in the above amendment as new lines 39 and 40.
- That the plat map showing the above properties as outlined in lavender is amended to be outlined in pink.
- That on page 2, in lines 2 and 3, 1755 and 1769 Carswell be deleted and added to the section on B-2-2 to R-6.

STAFF: Eric Tiso

PETITIONER: Administration (Department of Planning)

SITE/GENERAL AREA

This rezoning affects the southern portions of the Coldstream Homestead Montebello neighborhood, which is principally residential in nature, with attached homes comprising the bulk of the housing stock in the area. Some commercial areas remain along the railroad tracks at the southern border of the neighborhood. Baltimore City College is located in the northern corner of the neighborhood.

HISTORY

- The Coldstream Homestead Montebello Area Master Plan was adopted by the Planning Commission on April 20, 2006.
- The Coldstream Homestead Montebello Urban Renewal Plan was established by Ord. #77-289, dated February 28, 1977, and was last amended by Ord. #11-446, dated 26 May, 2011.

CONFORMITY TO PLANS

This action is consistent with the Coldstream Homestead Montebello Urban Renewal Plan (URP) and the homeownership goals of Coldstream Homestead Montebello Area Master Plan. This action is also consistent with TransForm Baltimore, the comprehensive rezoning project for Baltimore City, as R-6 is also the proposed zoning for this neighborhood area.

ANALYSIS

Rezoning Request:

The Coldstream Homestead Montebello (CHM) community is concerned about the historic threat of conversions in their neighborhood. Conversions are where homes are internally split into multiple dwelling units or apartments. The request to rezone the southern half of the neighborhood to R-6 will protect that area from conversions, as they are not permitted in the R-6 District. The northern half of the neighborhood is already predominantly zoned R-6, and so already enjoys protection from conversions.

Article 66B Requirements for Rezoning:

Article 66B of the Maryland Code requires the Planning Commission 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:** This rezoning is consistent with the goals of the CHM URP, the CHM Area Master Plan, and the comprehensive rezoning study as part of TransForm Baltimore. Staff supports the early adoption of the proposed rezoning of this neighborhood in advance of the City-wide comprehensive rezoning.
2. **The needs of Baltimore City:** The predominantly residential nature of this area will be preserved and continued through this action. Increases in residential density are generally not needed.
3. **The needs of the particular neighborhood:** The needs of the CHM neighborhood will be met through stabilization of residential density, in part through the prevention of conversion of existing dwellings into multiple units.

Similarly, Article 66B requires the City Council to make findings of fact. The findings of fact shall include:

1. **Population changes;** As the number of City residents approaches a stable number, no further increase in residential density is needed, and so this zoning change is appropriate.
2. **The availability of public facilities;** This neighborhood is adequately served by public facilities; this condition will not be impacted by the proposed rezoning.

3. **Present and future transportation patterns;** The transportation patterns of the neighborhood are already in existence and will not change or be negatively impacted by the proposed rezoning.
4. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** The Planning Commission adopted the CHM Area Master Plan in 2006, which has as one of its goals the promotion of homeownership. The proposed rezoning and its accompanying prevention of conversions will support that plan. The BMZA may independently comment on this bill.
5. **The relation of the proposed amendment to the City's plan.** This rezoning is consistent with the goals of the CHM URP, the CHM Area Master Plan, and the comprehensive rezoning study as part of TransForm Baltimore.

Following such findings, The City Council may grant the amendment 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. Staff believes that the stabilization of residential density (as the City's population approaches no net out-migration) warrants the change in zoning for this neighborhood. The densities available under the existing zoning classifications for some of the properties support densities that are no longer required in this portion of the City. For these reasons, staff recommends approval of the proposed rezoning.

Amendments: Due to a mapping error, the properties listed below were shown as being rezoned from R-7 to R-6. In fact, these properties are now zoned B-2-2. For these reasons, these properties need to be moved from their listings on pages 15 and 22 to the B-2-2 to R-6 list on page 2 of the bill. Likewise, the plat map showing them in lavender (denoting R-7 to R-6) needs to be corrected to show them in pink (denoted B-2-2 to R-6). The properties to be amended include:

From Page 22, lines 43 and 44

- 1748 Abbotston Street
- 1750 Abbotston Street

From Page 15, lines 23-31

- 1751 Abbotston Street
- 1753 Abbotston Street
- 1755 Abbotston Street
- 1757 Abbotston Street
- 1759 Abbotston Street
- 1761 Abbotston Street
- 1763 Abbotston Street
- 1765 Abbotston Street
- 1767 Abbotston Street

In addition there was one error in the text of the bill. The properties known as 1755 and 1769 Carswell are currently B-2-2 and shown on the map as going to R-6 but the text inadvertently lists them as B-1-2 going to R-6. This should be corrected to be B-2-2 to R-6 in the text.

Community Input: The Coldstream/Homestead/Montebello Community Corporation, Inc. - (CHMCC) and 1,274 property owners have been notified of this action.

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