

FROM	NAME/TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME/ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #15-0574 / REZONING 1430-1444 LAWRENCE STREET

CITY of
BALTIMORE
MEMO



TO

DATE:

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

January 27, 2016

At its regular meeting of January 21, 2016, the Planning Commission considered City Council Bill #15-0574, for the purpose of changing the zoning for the property known as 1430-1444 Lawrence Street, as outlined in red on the accompanying plat, from the R-8 Zoning District to the B-2-4 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 #15-0574 and adopted the following resolution nine members being present (nine in favor).

RESOLVED, That the Planning Commission does not concur with the recommendation of its departmental staff, and recommends that City Council Bill #15-0574 be passed as introduced 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/amc

Attachment

- cc: Ms. Kaliopé 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
 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
 Mr. Joe Woolman, Representative for the Applicant



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

January 21, 2016

REQUESTS: City Council Bill 15-0574/ Rezoning – 1430-1444 Lawrence Street

RECOMMENDATION: Amendment and Approval, with the amendment to rezone these properties to the B-2-2 district, as opposed to the B-2-4 district.

STAFF: Anthony Cataldo

PETITIONER: Lawrence and Fort, LLC

OWNER: same

HISTORY

- On February 23, 2012 the Planning Commission approved the Major Subdivision Final Plans for 'Rallos Ridge.'

SITE/GENERAL AREA

General Area: The site is adjacent to the Key Highway South URP area and is located at the intersection of Lawrence and Harvey Streets. This site is adjacent to existing two-story rowhouses and the rear of a three-story mixed-use building located on the corner of Lawrence Street and Key Highway. Officially within the Riverside Neighborhood, this site is on the border of this neighborhood and the Locust Point Neighborhood.

Site Conditions: The site at 1430-1444 Lawrence Street is approximately 14,700 square feet and is currently zoned R-8. The current site consists of a surface parking lot.

ANALYSIS

The B-2-4 zoning district occurs within this portion of south Baltimore, but on specific parcels that have the added control of an Urban Renewal Plan Overlay. This site is located outside of the established Key Highway South Urban Renewal Plan. In order to consider a rezoning to the B-2-4 district, an amendment to the Key Highway South Urban Renewal Plan would be required in order to provide rationale as well as community supported guidelines and bulk and massing restrictions to the site, as is included on the other B-2-4 properties within the URP. With no support for an Urban Renewal Plan Amendment, the Department of Planning proposes an amendment to the City Council Bill to change the rezoning from R-8 to B-2-2. The B-2-2 zoning district occurs immediately adjacent to the subject site and is used in this area as a transition district from the rowhouse communities to a more commercial main street. Lawrence Street has a very wide right-of-way and a lower-density business category that provides residential as well as commercial uses that would transition well between the existing rowhouse fabric and the mixed use development across Lawrence Street.

Below is the staff's review of the required considerations of §16-305 of the Zoning Code. Staff finds that a change to the B-2-2 district is in the public's interest, in that it will address a parcel difficult to develop with only residential uses; it will better compliment the mixed use character of the neighborhoods that occur adjacent to these properties; and it will help meet the trend towards expansion of mixed use in the neighborhood.

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:** The Baltimore City Comprehensive Master Plan is not so specific as to recommend land use and/or zoning changes for the properties in question. This request is in-line with the goals and objectives of LIVE EARN PLAY LEARN to redevelop vacant properties and Build Human and Social Capital by Strengthening Neighborhoods.
2. **The needs of Baltimore City:** The redevelopment of a surface parking lot in the middle of a vibrant and growing community creates a positive move forward for the City. The Lawrence Street corridor is wide and heavily traveled, posing a challenging site to redevelop with traditional R-8 infill. Therefore, the amendment to B-2-2 would be most appropriate to the needs of the City in order to develop the site as a transition from the larger scale mixed-use blocks to the existing rowhouse fabric.
3. **The needs of the particular neighborhood:** Rezoning these properties to a business district as recommended by staff will support the neighborhood's stability. Conversely, the existing surface lot or the proposed B-2-4 commercial district height and density in such close proximity to a low scale rowhouse residential area is not strategically necessary for the City, or desirable for this neighborhood.

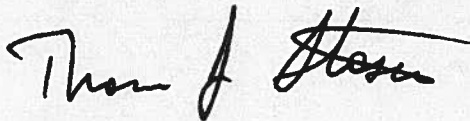
Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes:** Between the 2000 and 2010 decennial Censuses, the Riverside neighborhood increased by a little more than 200 households, indicating a trend towards an increasing residential population. The same trend is true in Locust Point where between the 2000 and 2010 decennial Censuses, the Locust Point neighborhood also increased by a little more than 200 households.
2. **The availability of public facilities:** This area is well served by public utilities and services, and will remain so for the foreseeable future.
3. **Present and future transportation patterns:** These properties are served by the existing City street grid, and will remain in that configuration. There are no identified transportation improvements for this immediate site at this time.

4. **Compatibility with existing and proposed development for the area:** The proposed residential and commercial use for these properties will complement the surrounding neighborhoods.
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 to the Planning Commission amendment of the bill to call for rezoning these properties to the B-2-2 district instead of the proposed B-2-4 district. The BMZA has not yet commented on this bill, but will do so separately.
6. **The relation of the proposed amendment to the City's plan:** As these properties in this R-8 district are currently proposed to remain in the R-8 district under TransForm Baltimore, the amendment and passing of this bill would represent an amendment to the comprehensive rezoning plan for this site.

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. Planning Staff finds that a substantial change in the character of the neighborhood where the property is located has occurred. The nature of residential and mixed use has changed in recent decades, such that smaller mixed use projects that create pedestrian energy on the ground level with units above are desirable and work well for street corridors such as this. For that reason, the amendment and approval of a B-2-2 district in this area will better serve the change in character for this neighborhood.

Staff Notification: Prior to this hearing, staff notified the Key Highway Task Force.



Thomas J. Stosur
Director