

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #16-0707 / REZONING 1410 NORTH MONROE STREET

CITY of
BALTIMORE
MEMO



TO

DATE:

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

August 5, 2016

At its regular meeting of August 4, 2016, the Planning Commission considered City Council Bill #16-0707, for the purpose of changing the zoning for the property known as 1410 North Monroe Street, from the B-3-2 Zoning District to the M-2-1 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #16-0707 and adopted the following resolution, six members being present (six in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #16-0707 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. 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
- Mr. Patrick Fleming, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Melissa Krafchik, PABC
- Ms. Natawna Austin, Council Services
- Mr. Pierce Flanigan, P. Flanigan & Sons, Inc.



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 4, 2016

REQUESTS:

- City Council Bill #16-0707/ Rezoning – 1410 North Monroe Street
For the purpose of changing the zoning for the property known as 1410 North Monroe Street, as outlined in red on the accompanying plat, from the B-3-2 Zoning District to the M-2-1 Zoning District.

- City Council Bill #16-0708/ Urban Renewal – Rosemont – Amendment
For the purpose of amending the Urban Renewal Plan for Rosemont to amend certain exhibits to reflect the change in zoning, upon approval by separate ordinance, for the property known as 1410 North Monroe Street.

RECOMMENDATIONS:

- CCB#16-0707: Approval
- CCB#16-0708: Amendment and Approval with the following amendment:
 - Amend section F.2.d.1 of the Rosemont Urban Renewal Plan to state: "Material for fencing should be of masonry, metal, or a combination of these materials, or other appropriate materials. THE USE OF BARBED WIRE, RAZOR WIRE, OR SIMILAR IS PROHIBITED."

STAFF: Kathryn Hendley

PETITIONER: P. Flanigan & Sons, Inc. c/o Pierce Flanigan

OWNER: Pierce Flanigan

SITE/GENERAL AREA

Site Conditions: 1410 North Monroe Street is located on the southwest corner of the intersection of Monroe and Presstman Streets in the Bridgeview/Greenlawn neighborhood. This property measures approximately 256'7" along Monroe Street and 68' along Presstman Street and contains approximately 0.683 acres. The site is currently unimproved and is used as a surface parking lot for vehicles associated with a contractor's asphalt plant operation. The site is zoned B-3-2 and is located within the Rosemont Urban Renewal Plan area.

General Area: The general project area lies on the northeast edge of the Bridgeview/Greenlawn neighborhood, immediately to the west of Sandtown-Winchester and to the south of Easterwood. This area is predominantly industrial, with residential uses predominating to the north and east of this site. This property is located in the northeastern portion of the Rosemont Urban Renewal Plan area.

HISTORY

- This URP was adopted by Ordinance #03-509 by the Mayor and City Council in April 2003.

CONFORMITY TO PLANS

The proposed rezoning is consistent with the goals and objectives of the Baltimore City Comprehensive Master Plan, specifically: EARN, Goal 1: Strengthen Identified Growth Sectors, Objective 5: Retain and Attract Business in Construction.

It also supports the objectives of the Rosemont Urban Renewal Plan. Objective 6 of the URP states: "Facilitate the development and redevelopment of industrial properties within the Project Area" (B.6).

ANALYSIS

A rezoning bill was introduced at the request of P. Flanigan & Sons, Inc. to rezone 1410 North Monroe Street from B-3-2 to M-2-1. P. Flanigan & Sons, Inc. owns the property at 1410 North Monroe Street and has operated an asphalt production facility on the adjoining property at 1310 North Monroe Street for over 100 years.

Approximately half of the Bridgeview/Greenlawn neighborhood is currently zoned for industrial use. The properties immediately adjacent to the subject parcel to its south are zoned M-2-1 and this district extends around the railroad to the west and south. Approval of this rezoning request would extend the existing M-2-1 district to the northeast to encompass the remaining block area bordered by Monroe and Presstman Streets.

While the proposed rezoning complements the existing zoning of this portion of Bridgeview/Greenlawn, the subject property is also located across the street from the primarily residential neighborhoods of Easterwood and Sandtown-Winchester. Therefore, industrial uses should be properly buffered in ways that would not be offensive to nearby residents.

The site was previously a Stop, Shop, and Save grocery store, which closed in 2014. The site has been cleared and is not currently improved by any commercial uses.

City Council Bill #16-0707

The requested M-2-1 zoning district is a general industrial district that allows for uses regarded as general manufacturing and industrial uses. The current B-3-2 Community Commercial District does not permit these uses.

Below are the required considerations of §16-305 of the Zoning Code. Staff finds that this change is in the public's interest, in that it will support retention of a large employer in the area.

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 proposed action is not proposed specifically in the Comprehensive Master Plan, but is consistent with its purposes and goals. It also meets the intent of the Rosemont Urban Renewal Plan.
2. **The needs of Baltimore City:** This rezoning would allow for expanded industrial and construction opportunities, and their related employment opportunities.
3. **The needs of the particular neighborhood:** The neighborhood is already primarily industrial in character and the rezoning of this property to M-2-1 would be consistent with these land use patterns.

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;** The population of the area surrounding the property decreased by 15.6% between the 2000 and 2010 Census.
2. **The availability of public facilities;** The property is well served by City services, with no expected impacts as a result of rezoning.
3. **Present and future transportation patterns;** There are no anticipated changes to present transportation patterns along this portion of Monroe Street, patterns that support industrial use of the property.
4. **Compatibility with existing and proposed development for the area;** The proposed zoning is compatible with the site's location adjacent to existing industrial uses.
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.** The proposed rezoning of this site would further objectives of the City's Comprehensive Master Plan and URP.

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. The significant decrease in population indicates that there has been substantial change in the character of the neighborhood where these properties are located that would justify the proposed rezoning. For the reasons stated above, Planning staff recommends amendment and approval of this bill.

City Council Bill #0708

The bill provision of the Rosemont Urban Renewal Plan amendment is to amend Exhibits A and D, "Land Use Plan" and "Zoning," to reflect the change in zoning for the property known as 1410 North Monroe to the M-2-1 Zoning District.

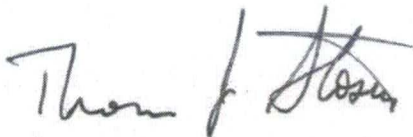
The proposed amendments are consistent with the goals and objectives of the Baltimore City Comprehensive Master Plan, specifically: EARN, Goal 1: Strengthen Identified Growth Sectors, Objective 5: Retain and Attract Business in Construction.

They also support the Rosemont Urban Renewal Plan, Objective 6 which states: "Facilitate the development and redevelopment of industrial properties within the Project Area" (B.6).

The population of the area surrounding the area to be affected by the proposed amendments decreased by 15.6% between the 2000 and 2010 Census. As a result of this loss of population, commercial uses such as the former grocery store lost customer base, resulting in closure of the store and no reoccupation of the property by another commercial use.

The Rosemont URP states: "All parking, loading, and service areas must be buffered from a public right-of-way by landscaping, berms, or fencing combined with landscaping. The buffer area must be a minimum 10-foot wide area, and any fencing must be a maximum of 10 feet high and must be located behind the landscaped area. Material for fencing should be of masonry, metal, or a combination of these materials, or other appropriate materials. A minimum of one tree must be provided per 40 linear feet of dedicated public roadway. The remainder of the buffer area must be covered with shrubs, groundcover, grass, or other approved landscape treatment..."(Plan, F.2.d.1). Planning staff recommends amending these Landscaping and Screening requirements to prohibit the use of barbed wire, razor wire, or similar because of the proximity of the industrial uses to residential areas. This would be in addition to the existing Plan requirements, which the owner is required to comply with.

Community Notification: The following community organizations have been notified of this action: Alliance of Rosemont Community Organizations, Coppin Heights Community Development Corporation, and Matthew Henson Community Development Corporation.



Thomas J. Stosur
Director