

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 #18-0255 / REZONING - Certain Properties in the Old Goucher Community		

TO

DATE:

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

August 24, 2018

At its regular meeting of August 23, 2018, the Planning Commission considered City Council Bill #18-0255, for the purpose of changing the zoning for certain properties in the Old Goucher community, as outlined in red on the accompanying plat, from the OR-1 Zoning District to the C-1 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0255 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, and recommends that City Council Bill #18-0255 be passed 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.

TJS/ewt

attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
 Mr. Jim Smith, Chief of Strategic Alliances
 Ms. Karen Stokes, Mayor's Office
 Mr. Colin Tarbert, Mayor's Office
 Mr. Kyron Banks, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to Planning Commission
 Mr. William H. Cole IV, BDC
 Mr. Derek Baumgardner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Sharon Daboin, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Ms. Eboni Wimbush, DOT
 Ms. Natawna Austin, Council Services
 Mr. Ervin Bishop, Council Services
 Mr. Alfred Barry, AB Associates



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 23, 2018

REQUEST: City Council Bill #18-0255/ Rezoning – Certain Properties in the Old Goucher Community

For the purpose of changing the zoning for certain properties in the Old Goucher community, as outlined in red on the accompanying plat, from the OR-1 Zoning District to the C-1 Zoning District.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Stokes and Council President Young

OWNERS: Various, of properties in the odd-numbered 2200, 2300, and 2400 blocks of Maryland Avenue, of adjacent properties in the unit blocks of West 22nd, West 24th, and West 25th Streets, and of the property addressed as 2450 Morton Street

SITE/GENERAL AREA

Site Conditions: The subject properties are predominantly improved with three-story attached structures, most of them constructed as row-housing in the late 19th Century, some partially modified for residential mixed use or converted to multi-family dwellings. The central portion of the odd-numbered 2200 block of Maryland Avenue is improved with one- and two-story attached commercial structures. The unit blocks of West 22nd, West 24th, and West 25th Streets are improved with two- and three-story attached structures. 2450 Morton Street is unimproved.

General Area: The properties that are the subject of this bill cover three blocks lying between Maryland Avenue and Morton Street. They are part of an area that was originally developed in the late 19th Century as an urban campus (eventually known as Goucher College) with a mixture of lecture halls, dormitories, open recreation spaces, and housing for faculty and staff of the College. After Goucher College moved from this area to its present suburban campus in 1954, the open spaces were sold off and developed individually with commercial structures, and some of the original row-houses were modified for partial or total non-residential use. Today the Old Goucher College National Register Historic District, which includes the properties subject to this bill, is primarily residential mixed-use and residential, with some scattered institutional and commercial uses, along with a large supermarket in a non-contributing structure located at Charles Street and 24th Street that serves both the Old Goucher College and the Charles Village communities. The most notable structure in this area is the Lovely Lane Methodist Church on Saint Paul Street at 22nd Street, which is a Baltimore City Landmark Structure.

HISTORY

The subject properties were included in the comprehensive rezoning of Baltimore City that was adopted by Ordinance 16-581 and technically amended by Ordinance 17-015. This, the current Zoning Code, became effective on June 5, 2017. These properties are within the Charles/ 25th Urban Renewal Plan area; this Plan was originally approved by Ordinance no. 01-0495 in 2001, and amended by its Amendment No. 1 dated March 4, 2002, approved by Ordinance no. 02-393 in 2002. All of the properties subject to this bill in the 2400 block of Maryland Avenue, and the properties on 25th Street and 24th Street, are designated in this Plan as “Contributing Structures” in the Plan’s Special Designations map (Exhibit B of the Plan). The subject properties on the 2300 block of Maryland Avenue are either designated as “Notable Structures” or “Contributing Structures” in the same Exhibit. The original structures in the 2200 block of Maryland Avenue (i.e., excluding the mid-20th Century commercial structures) are designated as “Contributing Structures”. The Plan requires referral of all plans for new construction, or demolition or exterior rehabilitation of Notable or Contributing Structures, to the Charles Village Community Benefits District’s Community Review Panel. The Charles Village Community Benefits District, which includes the properties subject to this bill, was established by Ordinance no. 94-0414 approved July 6, 1994, and most recently continued by Resolution 18-06 of the Mayor and City Council dated May 18, 2018. The Old Goucher College National Register Historic District was created in June of 1974 and expanded and certified to the National Register of Historic Places on September 26, 1994.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore City, LIVE Goal 2, Objective 2: Streamline and Strengthen the Development Process by Modernizing the Zoning Code to meet current needs. The new, now current, Zoning Code created many new and more flexible land use categories in recognition of the fact that changes in economic and cultural factors drive decisions on land use and their details, such as choice of location for business or personal residential use. The proposed action also supports EARN Goal 1, Objective 1: Retain and attract Businesses in all Growth Sectors, to the extent that it would, by increasing possible uses of the existing structures in the area that would be rezoned, offer small and start-up businesses additional locations to consider within the City of Baltimore.

ANALYSIS

“Comprehensive rezoning” means an ordinance that is

- (1) Initiated by City government to modify the zoning classifications of multiple properties;
- (2) Based on considerations concerning the common needs of a substantial geographic area, involving a considerable number of properties;
- (3) Designed to control and direct the use of land and structures according to present and planned future conditions; and
- (4) The product of: (i) careful consideration and extensive study by the Planning Department; and (ii) review by the Planning Commission. *Zoning Code, §1-304(m)*

The sixty properties that are the subject of City Council Bill 18-0255 were all studied in the course of City-wide study of all properties in Baltimore preparatory to formulation of Planning staff recommendations for use of the new zoning categories and standards contained in the TransForm Baltimore proposed Zoning Code. Under the previous Zoning Code, since 1971 these properties had been part of the B-2-3 Community Business zoning district, a moderate intensity zoning district intended to serve several communities. Planning staff recommended that the intensity of commercial use be slightly reduced, as more intense commercial use had not occurred in over three decades and existing structures were most suited to the least intensive commercial district being created.

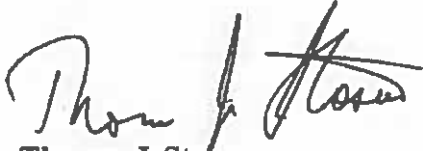
This comprehensive rezoning/ zoning process then proceeded to Planning Commission hearings on the draft version of TransForm Baltimore (both text and maps) held in various locations throughout Baltimore. Following conclusion of those public hearings, the Planning Commission held open work sessions and voted on each proposed change to the Departmental draft of the Code. Upon completing that task, the Planning Commission forwarded to the Mayor and City Council its own version of the draft TransForm Baltimore Zoning Code, which affirmed placement of these sixty properties in the C-1 zoning district. Following receipt of the Planning Commission's proposal, the Land Use and Transportation Committee of the City Council held public hearings and open work sessions on TransForm Baltimore, a process which took approximately three years of work.

Specifically with regard to the properties that are the subject of City Council Bill 18-0255, both the Planning Department and the Planning Commission recommended, in the course of preparing for comprehensive rezoning of the City, that C-1 zoning would be most appropriate, based upon their current land uses, existing structures, and land use trends influencing north-central areas of Baltimore. The Land Use and Transportation Committee accepted this recommendation at first. However, reflective of Councilmanic courtesy, that Committee on October 24, 2016 received and approved an amendment to the TransForm Baltimore map that changed the new zoning for the properties designated as "2200-2400 (eastside only)", from the C-1 zoning district to the OR-1 (Office-Residential) zoning district. Although its documentation did not include the street name for this change, this change was effective only in the 2200-2400 blocks of Maryland Avenue that lie within the 12th Council District. (The document is titled "Amendments to Council Bill 12-0152 ... Map Amendments for Council Districts 1, 9, 11 Supplemental, 12, 13, 14".) This change, when subsequently adopted by the City Council in December 2016, was not the product of the comprehensive zoning procedures and process of deliberation that had led to the original Planning Commission recommendation that these sixty properties would be more appropriately placed in a C-1 zoning district.

City Council Bill 18-0255, if adopted, would be considered a comprehensive rezoning action due to the number and extent of the properties affected, its reflection of consideration of common needs of the geographic area concerned, its direction of use of land and structures according to present and future conditions, and the fact that its outcome would reflect careful consideration and extensive study by the Planning Department and review by the Planning Commission.

Notification: Public notice of this hearing was given by posting of signs meeting Planning Commission specifications at three locations in the affected area: Maryland Avenue at 25th

Street, Maryland Avenue at 23rd Street, and Maryland Avenue at 22nd Street. Separate direct notices were sent to all property owners of record for the sixty properties that would be affected by this action.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a prominent initial "T" and a long horizontal stroke at the end.

Thomas J. Stosur
Director