



FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #20-0619 / REZONING -1900,1904,1910, 1916 LIGHT STREET		

TO

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

DATE: October 9, 2020

At its regular meeting of October 8, 2020, the Planning Commission considered City Council Bill #20-0619, for the purpose of changing the zoning for the properties known as 1900,1904, 1910, 1916 Light Street as outlined in red on the accompanying plat, from the R-8 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 #20-0619 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, adopts the findings outlined in the staff report with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #20-0619 be 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: Mr. Nicholas Blendy, Mayor's Office
Mr. Matthew Stegman, Mayor's Office
Ms. Nina Themelis, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Livhu Ndou, 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
Mr. Dominic McAlily, Council Services
1900 Light Street, LLC



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

October 8, 2020

REQUEST: City Council Bill #20-0619/ Rezoning – 1900, 1904, 1910, and 1916 Light Street: For the purpose of changing the zoning for the properties known as 1900, 1904, 1910, and 1916 Light Street as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

RECOMMENDATION: Adopt Findings and Approve

STAFF: Kaliel Barmer

PETITIONERS: Councilmember Costello, at the request of 1900 Light Street, LLC

OWNER: 1900 Light Street, LLC

SITE/GENERAL AREA

Site Conditions: 1900, 1904, 1910, and 1916 Light Street (Block 1037, Lots 001, 003, 006, and 009) are former industrial buildings and are found on the south side of the intersection with East Wells Street. The site includes four attached buildings, each on its own parcel. The northernmost and southern most buildings are one stories in height, while the middle two buildings are two stories.

General Area: The site is located in the South Baltimore neighborhood, and is in an area comprised of mainly residential structures consisting of rowhomes and apartment complexes. There are rowhomes to the north and south of the site along Light Street, and multi-family apartment buildings located directly to the east, west, and northwest.

CONFORMITY TO PLANS

There are several adopted plans that encompass this property:

1) The proposed action would be consistent with the following Goals and Objectives of LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore City:

- Live Goal 2, Objective 4: Protect and Enhance the Preservation of Baltimore’s Historic Buildings and Neighborhoods

2) Baltimore Sustainability Plan

- Human-made Systems: Neighborhoods: Strategy 3 – Encourage, support, and implement neighborhood improvements.

3) South Baltimore Gateway Master Plan

- Goal 4: Community Development and Revitalization: Improve the Quality of Neighborhoods to Increase the Marketability of Properties and Promote Investment

ANALYSIS

The site was first developed in 1885, and Edward Heniz bought the properties in 1986 and started his business, Heniz Riverside Abattoir and Southern Beef. This location is registered with the National Historic Places within the Riverside Historic District. The Riverside Historic District was listed in the National Register of Historic Places in 2007 under Criteria A and C with a period of significance of 1845 to 1910.

Wells street has been redefined within the past several years with the construction of several new multi-family apartment buildings that have added several hundred residential units to the neighborhood. In addition, numerous formerly vacant properties have been renovated and now are used for residential and commercial purposes. Most recently, there are currently under construction additional multi-family apartment buildings two blocks to the west on Hanover Street that will bring several hundred additional residential units to the neighborhood.

Prior to Transform Baltimore, the site was zoned R-8. It is unclear how this zoning designation was selected, but it does appear to be generally incompatible with the existing historic building form and industrial uses since the properties were first developed in the late 19th century. During the Transform comprehensive rezoning process, a redevelopment scheme was proposed for the site that included demolition of the buildings and the construction of fee-simple townhomes. This proposal failed to materialize, and the resulting R-8 zoning that was selected for the site as a continuation from the former R-8 designation now fails to provide for a reasonable reuse of the historic buildings due to restrictions placed upon bulk requirements and permitted uses.

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.

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 would be consistent with the goals contained in the Comprehensive Master Plan for Baltimore City as listed above. Additionally, it is not in conflict with any other area plans that pertain to this property.
- 2. The needs of Baltimore City:** A rezoning to the C-1 district would better correspond to the reuse of the historic structures on the properties and would provide for additional commercial uses that would be appropriate for the area and its many new residents.
- 3. The needs of the particular neighborhood:** The zoning change would help ensure the preservation of the historic urban fabric that is important to the City’s neighborhoods.

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;** There have been several large multi-family apartment buildings constructed in the immediate area over the past several years, as well as several larger apartment buildings in the area currently under construction.
- 2. The availability of public facilities;** This site is well-served by public services and utilities, which can support the continued use or redevelopment of this site.
- 3. Present and future transportation patterns;** There would be no negative effect upon present or future transportation patterns in the area as a result of adoption of this bill.
- 4. Compatibility with existing and proposed development for the area;** The proposed zoning district is compatible with the existing and proposed development for the area, as it allow for neighborhood-supporting commercial uses, as well as potential additional residential 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 will comment separately on this bill.

- 6. The relation of the proposed amendment to the City's plan.** As noted previously, rezoning of this property to the C-1 zoning district as recommended by staff would be consistent with the City's plan.

There are additional standards under §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;**
Existing uses of property within the general area of this site are a mix of residential and commercial.
- (ii) the zoning classification of other property within the general area of the property in question;** C-1 zoning would be compatible with the adjacent R-8 zoning designation and would facilitate neighborhood-focused commercial uses in support of area residents.
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and,** the current R-8 zoning designation would make any redevelopment of the site that preserves the historic buildings very challenging, which suggests that the current zoning is not appropriate.
- (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.** There have been significant changes to the immediate area of the subject property since the last comprehensive rezoning in 2016 that have added many additional residents to the area, and additional residential and commercial development is currently under construction in the area. The C-1 zoning designation is appropriate in that it attempts to blend buildings with historic industrial uses into contemporary residential neighborhoods.

Per §5-508(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. For the reasons described above, Planning staff consider that there was both a mistake in selecting the current R-8 zoning classification for the subject properties, as well as the fact that the neighborhood has seen substantial change since the last comprehensive rezoning.

Recommendation

Staff recommends that the Commission adopt the findings as outlined in this report and recommended approval of CCB #2020-0614 to the City Commission.

Notification: The South Baltimore Neighborhood Association has been notified of this action. Additionally, the site has been posted in compliance with Planning Commission guidelines.



Chris Ryer
Director