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Blake
Mayor*

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



*Thomas J. Stosur
Director*

August 6, 2015

REQUEST:

- Zoning and Land Use Study in the Remington Central Business Area Adoption
- City Council Bill #15-0542/Rezoning –Certain Properties in the Remington Central Business Area

RECOMMENDATIONS:

- Zoning and Land Use Study in the Remington Central Business Area Adoption: Approval
- City Council Bill #15-0542/Rezoning -Certain Properties in the Remington Central Business Area: Amend and Approve
 - Amend City Council Bill #15-0542 to remove 2600 and 2602 Huntingdon Avenue

STAFF: Tamara Woods

PETITIONER(S): Greater Remington Improvement Association

OWNER: Multiple Owners

SITE/GENERAL AREA

General Area:

The study and proposed multiple property rezoning is located in the Remington neighborhood of North Baltimore. The neighborhood has a mix of residential, business and industrial zoning. The neighborhood contains a mix of uses and development types, including two and three-story rowhouses, multi-family buildings, offices, restaurants, auto servicing garages, as well as, other industrial uses.

Site Conditions:

The zoning and land use study is for the entire neighborhood. The proposed rezoning is for multiple properties, 28th Street and south, that were purpose-built to include a commercial use. With the exception of 2602 Huntingdon Avenue, the lots are improved with existing structures that historically were built to have a ground floor commercial use and a residential unit above. The structure at 2602 Huntingdon Avenue was built to be used as a small office building. All of the properties in the proposed rezoning are located on 28th Street and south. The properties are on Huntingdon Avenue, Lorraine Avenue, West 27th Street and Miles Avenue.

HISTORY

There are no previous legislative or Planning Commission actions regarding these sites.

CONFORMITY TO PLANS

The proposed rezoning is consistent with the goals and objectives of the Baltimore City Comprehensive Master Plan, specifically: LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods; Objective 2: Strategically Redevelop Vacant Properties Throughout the City; Goal 2: Elevate the Design and Quality of the City's Built Environment; Objective 2: Promote Unique Retail Venues as Shopping Destinations.

This action is also consistent with the Planning Commission powers outlined in Article VII Section 72 in the Charter of Baltimore City, which states:

(f) shall investigate and study land uses, the development of subdivisions of land, and zoning within the City of Baltimore

(n) may take such other actions, subject to the provisions of this Charter and law, that it deems necessary and appropriate to assure that development is well-planned, efficiently coordinated by the City, and consistent with the health, order, security, safety and morals of the inhabitants of Baltimore City, as well as the aesthetic and natural environment of the City.

ANALYSIS

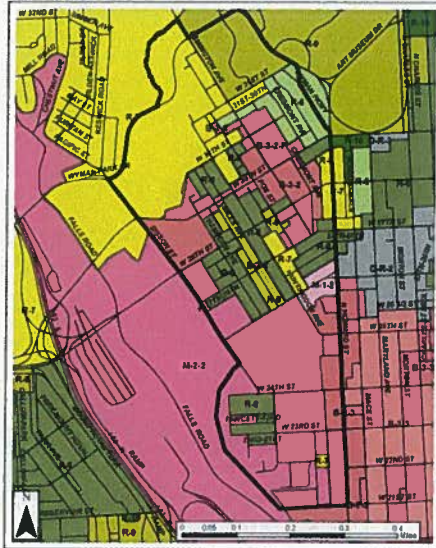
Zoning and Land Use Study in the Remington Central Business Area Adoption

Over the past several years the Department of Planning staff has been working with several stakeholders on a neighborhood plan for the Remington neighborhood. Though the plan is still in process, one of the visions for the neighborhood expressed by many stakeholders is to have a walkable, mixed-use neighborhood that could include either new construction or reuse of vacant properties.

In addition, the City is undergoing a comprehensive rezoning process, which includes new zoning categories and map recommendations. The Zoning and Land Use Study was based on the neighborhood plan work and was completed by staff to assess the existing multiple zoning categories and land uses, as well as the TransForm recommendations for the neighborhood. This neighborhood-wide study also documents several larger development projects and proposals, as well as, allows staff to better understand the adjacencies of the multiple land uses that exist within Remington. Further, the study considers many smaller parcels and identifies opportunities for rezoning and land use changes for these parcels, consistent with a residential, mixed-use community.

As shown in the zoning and land use map on the following page, the Remington neighborhood has a mixture of zoning categories, including M-2-2, M-1-2, B-3-2, B-2-2, R-9, R-8, R-7 and R-6. The very nature of this mix in zoning category exemplifies the mix of land uses that in some cases predated the existing zoning code and are present in the neighborhood today.

REMINGTON ZONING

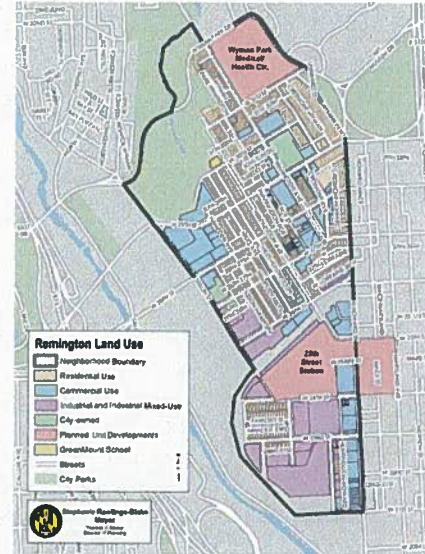


Legend

Zoning Boundary

DISTRICT

- B-1 Neighborhood Business District
- B-2 Community Business District
- B-3 Community Commercial District
- B-4 Central Business District
- B-5 Central Commercial District
- M-1 Industrial District
- M-2 Industrial District
- M-3 Industrial District
- O-R Office-Residence District
- O-S Open Space
- R-1 Single-Family Residence District
- R-2 General Residence District
- R-3 Single Family Residence District
- R-4 General Residence District
- R-5 General Residence District
- R-6 General Residence District
- R-7 General Residence District
- R-8 General Residence District
- R-9 General Residence District
- R-10 General Residence District



The study showed that throughout the dense residentially zoned area and along major streets such as 28th Street, Huntingdon Avenue and Howard Street, there were many vacant storefront properties. Though there has been some larger scale redevelopment and reoccupation of vacant homes, many storefront buildings, unless occupied with non-conforming uses or converted to residential, remain vacant. Given the vision to create a dense walkable neighborhood the zoning and land use study recommends that these properties be rezoned in phases. In addition, TransForm Baltimore also anticipated the reuse of the parcels for commercial use by a combination of neighborhood commercial conditional use and C-1 zoning. To address the corridors TransForm Baltimore also recommends downzoning some of the properties that are currently B-3-3 to the future C-1 which is a main street category.

Overall, the study revealed that there is a healthy mix of land uses that lend themselves to a vibrant Remington in which one could actually live, work and play. There are some zoning changes that will help further the goal of solidifying Remington as a walkable neighborhood that provides more services for the residents that live there and the surrounding areas.

City Council Bill #15-0542 (Multiple Property Rezoning)

City Council Bill #15-0542 is for a proposed multiple property rezoning. The existing properties are zoned R-7, R-8 or R-9 and are all proposed to be rezoned to B-1-2. They are located in the southern portion of the Remington neighborhood at 28th Street or south. The bill does not include any parcels above 28th Street. The only property included in the bill that is not a corner store property is 2602 Huntingdon, though its structure was not originally designed for a residential use. The chart on the following page shows the specific parcels included.

| Property Address | Approximate Lot Size (sqft) | Existing Zoning | Current Use |
|----------------------------------|------------------------------------|------------------------|--------------------|
| 2623 Huntingdon Avenue | 2623 | R-7 | Residence |
| 2701 Huntingdon Avenue | 2250 | R-7 | Business |
| 200 West Lorraine Avenue | 1300 | R-8 | Vacant |
| 201 West Lorraine Avenue | 1512 | R-8 | Vacant |
| 2600 Huntingdon Avenue | 700 | R-8 | Vacant |
| 2602 Huntingdon Avenue | 3500 | R-8 | Vacant |
| 2658 Huntingdon Avenue | 1050 | R-8 | Vacant |
| 2740 Huntingdon Avenue | 2100 | R-8 | Vacant |
| 2745 Huntingdon Avenue | 1500 | R-8 | Vacant |
| 2800 Huntingdon Avenue | 2100 | R-8 | Vacant |
| 2648 Hampden Avenue | 1050 | R-8 | Residence |
| 501 West 27 th Street | 1050 | R-8 | Vacant |
| 2656 Miles Avenue | 1440 | R-9 | Vacant |
| 2743 Miles Avenue | 1300 | R-9 | Business |

In completing its analysis, the Department of Planning Staff not only studied the request based on the Maryland Land Use Article, but also the character of the neighborhood and the proposed zoning category. As stated previously, the zoning and land use study showed that the neighborhood has a wide mix of zoning categories and land uses throughout the neighborhood. The residential zones are high density and are characterized by a dense rowhouse block configuration with groups often ending with corner store properties. Traditionally these were occupied with businesses on the ground floor and residences above. If these properties are residentially zoned, operating businesses are considered non-conforming uses.

Until 2010, the zoning code allowed for continuance or reestablishment of non-conforming uses. In 2010, the existing Zoning Code was amended to include stricter language regarding the discontinuance and abandonment of non-conforming uses. The zoning code as amended does not allow a non-conforming use to be reestablished on the property if it has been discontinued for 12 consecutive months. At this point the nonconforming use status of the property will go away unless the zoning of a property is changed from a residential category to a commercial category. The net effect of this 2010 amendment on properties with corner stores or non-residential purpose-built structures in residential zones is that they run the risk of losing their non-conformity and becoming vacant if they are not converted to use allowed in the residential zoning category. If left vacant they could become a blighting influence on the neighborhood. The chart above shows that many of the parcels included in this rezoning bill are now indeed vacant.

The B-1 zoning district is a neighborhood business district designation. The permitted use list provides for a variety of residential, office and commercial uses that are suitable for smaller scale locations and streets. This category does not include uses allowed in higher-density commercial categories such as liquor stores and taverns. The allowable massing is governed

by a Floor Area Ratio (FAR) of 2.5. No front, rear or street corner setbacks are required. No interior side yard setbacks are required, but if one is provided, it must be at least 10 feet.

Rezoning Standards for Review

According to Maryland Land Use Article, Division I, Title 10 (Baltimore City Zoning), any proposed zoning changes must be referred to the Baltimore City Planning Commission and to the Board of Municipal and Zoning Appeals (BMZA), which must study the proposed changes in relation to:

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. But as stated previously, this request is in-line with the goals and objectives of LIVE EARN PLAY LEARN to redevelop vacant properties and promote unique retail venues.
2. *The needs of Baltimore City*- The proposed B-1-2 zoning district supports the City's master plan to strengthen neighborhoods, strategically redevelop vacant properties throughout the City and to promote unique retail venues.
3. *The needs of the particular neighborhood in the vicinity of the proposed changes*- The proposed B-1-2 zoning district also supports the specific neighborhood needs to provide for additional commercial uses in the area by creating a mixed-use walkable neighborhood that allows people to live, work and play in the same neighborhood while expanding the small business opportunities.

Once the Planning Commission and BMZA report their findings and recommendations to the Mayor and City Council, the City Council shall make the following findings of fact:

1. *Population change*- The Remington neighborhood has experienced a 6.8% population increase between the 2000 and 2010 Census, which translates into 157 additional residents within Remington in the last 10 years.
2. *Availability of public facilities*- The properties are well served by City services, with no expected impacts as a result of rezoning.
3. *Present and future transportation problems*- There are currently no transportation problems anticipated as a result of the proposed multiple property rezoning in Remington. All newly established uses will have to work with the Zoning office to determine the required parking as some may be eligible for a parking credit because the buildings were established prior to 1971 and provided no parking. The lot sizes of the parcels in this rezoning proposal are relatively small and parking requirements, if any, would be minimal. Though the exact future impact is not known at this time, some parts of Remington have Residential Permit Parking that restricts parking from 7 am to 7 pm. For those residential streets that do not have RPP, residents could work with the Parking Authority of Baltimore City (PABC) to potentially expand the program within the neighborhood.
4. *Compatibility with existing and proposed development for the area*- The rezoning proposal will allow for development that is consistent with the existing small scale commercial establishments which exist throughout the Remington neighborhood. It will also allow for business that complement and serve the many industrial business and residents in the area. Also, the proposal is consistent with proposed development in the area which typically consists of mixed-use, residential, commercial, and office uses.

5. Recommendations of the Baltimore City Planning Commission and the BMZA- For the above reasons, the Planning Department will recommend amendment and approval of the rezoning request to the Planning Commission. The BMZA has not yet commented on this bill.
6. Relationship of the proposed amendment to Baltimore City's plan- As mentioned above, the proposed zoning changes are compatible with LIVE EARN PLAY LEARN, the City's Master Plan.

The City Council may grant the amendment to change the zoning classification based on a finding that there was either a substantial change in the character of the neighborhood where the property is located, or that there was a mistake in the existing zoning classification. In this case, the neighborhood is undergoing substantial change in character that is reflected in the Planning Department analysis below.

Supporting Rezoning Based on Substantial Change

The Remington neighborhood is undergoing substantial change with the reuse of some of the former industrial buildings and two major redevelopment proposals in the neighborhood:

Adaptive Reuse/Conversion of Existing Industrial Buildings

- 2600 North Howard Street – In 2013, a former tire shop began renovations to become a mixed-use project that now houses a butcher shop, restaurant, and theater space.
- 2601 North Howard Street- In 2009, the former Census Building was redeveloped into Miller's Court, a mixed-use development that features over 30,000 square feet in office space and 40 apartments.
- 2800 Sisson Street- In 2007, this former broom factory was converted to a garden center. This use does not occupy the entirety of the building, giving room for future expansion or additional uses.

New Construction

- Remington Row – Now under construction, the recently approved Remington Row Planned Unit Development (PUD) at 2700 Remington Avenue, is a mixed-use development that aligns with the existing mixed-use, neighborhood-commercial character of the Remington neighborhood. This PUD is 4.2 acres and is currently zoned both B-3-2 and R-9. The development plan proposes 179,390 GSF of development, 108 residential units for the entire project and includes a 171 car garage.
- 25th Street Station- In 2010, the Mayor and City Council approved a PUD that called for the creation of a new mixed use development that includes 337,000 square feet of retail and 70-80 residential units. Though the project has not moved forward, the creation of the Planned Unit Development shows the intent to redevelop a portion of the neighborhood into a large mixed-use development.

These five major projects represent larger development moves within the Remington neighborhood, in addition to the 6.8% population increase between the 2000 and 2010 Census. These projects are dispersed and are all located at 28th Street or south, which encompasses the area in which the proposed multi-property rezoning is located. The entire neighborhood has seen substantial growth and change that has primarily been centered in the lower half of the Remington neighborhood. Two parcels, 200 West Lorraine and 201 West Lorraine are located on the corner at Howard Street and less than one block from the Miller's Court and tire shop redevelopments. Approximately, half of the parcels in this proposed rezoning are located on the 2600, 2700 and 2800 blocks of Huntingdon Avenue, which is within three blocks from the Remington Row development.

TransForm Baltimore

The TransForm Baltimore zoning recommendation for these parcels is for a mixture of C-1 and R-8. The intent of the TransForm Baltimore recommendation for the corner store properties was based on a provision in the comprehensive rezoning legislation that allows for the potential reuse of non-residential purpose-built properties through a provision called the Neighborhood Commercial Conditional Use. This provision, if included in the final passage of the comprehensive rezoning legislation, would allow for limited commercial use of these parcels. The proposed multi-property rezoning of all of the properties to B-1-2, including those slated to be R-8 in TransForm Baltimore, is in keeping with the changing nature of the area as well as the vision of allowing commercial occupancy of these parcels. Below is a chart showing the TransForm Baltimore recommendations for each of the parcels included in this bill.

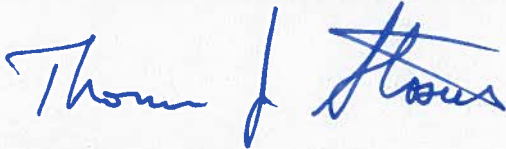
| Property Address | TransForm Baltimore Recommendation |
|----------------------------------|---|
| 2623 Huntingdon Avenue | R-8 |
| 2701 Huntingdon Avenue | C-1 |
| 200 West Lorraine Avenue | R-8 |
| 201 West Lorraine Avenue | R-8 |
| 2600 Huntingdon Avenue | C-1 |
| 2602 Huntingdon Avenue | C-1 |
| 2658 Huntingdon Avenue | R-8 |
| 2740 Huntingdon Avenue | C-1 |
| 2745 Huntingdon Avenue | R-8 |
| 2800 Huntingdon Avenue | C-1 |
| 2648 Hampden Avenue | R-8 |
| 501 West 27 th Street | R-8 |
| 2656 Miles Avenue | R-8 |
| 2743 Miles Avenue | R-8 |

Amendment

As part of the review for City Council Bill #14-0412, the Planning Department staff recommends that this bill be amended to remove 2600 Huntingdon Avenue and 2602 Huntingdon Avenue from the bill. Though the Planning Commission recommended C-1 for these parcels, 2602 Huntingdon Avenue is a much larger structure, though originally built as a small office building. After introduction of this bill, an application was filed with the Board of Municipal and Zoning Appeals (BMZA) to consolidate both 2600 and 2602 Huntingdon Avenue and convert this to a multi-family building. Therefore staff recommends deletion from this bill at this time to allow the current application to proceed to completion.

NOTIFICATION

In advance of this hearing staff notified the following community organizations: Greater Remington Improvement Association, Remington Neighborhood Alliance, Historic Greater Fawcett Community Association. In addition to these organizations, the property owners of record and the two Councilpersons representing the Remington neighborhood, the Honorable Carl Stokes and the Honorable Mary Pat Clarke, were notified of this action.



Thomas J. Stosur
Director