Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

April 17, 2014

REQUESTS:

City Council Bill #14-0347/Urban Renewal – Washington Village – Amendment

For the purpose of amending the Urban Renewal Plan for Washington Village to modify the responsibilities of the Commercial District Review Panel and to amend certain exhibits to reflect the change of zoning, upon approval by separate ordinance, for the property known as 859 Washington Boulevard; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

City Council Bill #14-0348/Rezoning – 859 Washington Boulevard

For the purpose of changing the zoning for the property known as 859 Washington Boulevard, as outlined in red on the accompanying plat, from the R-8 Zoning District to the B-2-3 Zoning District.

RECOMMENDATIONS:

City Council Bill #14-0347/Urban Renewal – Washington Village – Amendment

Approval with an amendment to extend the proposed land use and zoning recommendation changes to all properties within the Pigtown Main Street on Washington Boulevard between W. Cross Street and Scott Street that do not already have these designations.

City Council Bill #14-0348/Rezoning – 859 Washington Boulevard

Approval.

STAFF: Alexandra Hoffman

COMPREHENSIVE PLANNER: Brent Flickinger (Southern District)

PETITIONER: Councilman Edward Reisinger (Tenth District) on behalf of 859 Washington Blvd, LLC

OWNER(S): 859 Washington Blvd, LLC as introduced, multiple with proposed amendment

SITE AREA

Washington Village Urban Renewal Plan: The Washington Village Urban Renewal Plan generally encompasses the Washington Village/Pigtown neighborhood south of W. Pratt Street, west of S. Martin Luther King, Jr. Boulevard and S. Paca Street, and north of the Carroll Camden Industrial Area. The Washington Village Urban Renewal Plan includes the Pigtown Main Street on Washington Boulevard between W. Cross Street and Scott Street (the 700-900 blocks).

859 Washington Boulevard: The subject property of the Urban Renewal Plan amendment as introduced and the companion rezoning bill, 859 Washington Boulevard is a former church campus on the Pigtown Main Street. Charm City Swing currently operates a dance studio in the former sanctuary, with five dwelling units occupying the former rectory while the former community center is vacant.

HISTORY

Washington Village Urban Renewal Plan: The Washington Village Urban Renewal Plan was approved by the Mayor and City Council of Baltimore via Ordinance No. 1128 on June 27, 1979. It was last amended via Ordinance No. 533, approved November 8, 2007 (Amendment #6).

859 Washington Boulevard: Charm City Swing received Board of Municipal and Zoning Appeals' approval on May 10, 2011 to use a portion of 859 Washington Boulevard as a Multi-Purpose Neighborhood Center, a conditional use under the property's existing R-8 zoning.

ANALYSIS

As introduced, City Council Bill #14-0347/Urban Renewal – Washington Village – Amendment would amend the Washington Village Urban Renewal Plan to change the land use from Residential to Community Business and the recommended zoning from R-8 to B-2-3 for the property known as 859 Washington Boulevard. The implementation of this recommended zoning for 859 Washington Boulevard is proposed under a companion piece of legislation, City Council Bill #14-0348/ Rezoning - 859 Washington Boulevard.

Additionally, City Council Bill #14-0347/Urban Renewal – Washington Village – Amendment clarifies the ability of the Community Review Panel to expedite the review of all rehabilitation projects by striking the word "significant" under section C.4.c.2. of the Plan.

These bills are both consistent with the Planning Department's recommendation for mixed-use zoning under TransForm Baltimore, the draft new Zoning Code, (amended and approved by the Planning Commission on September 21, 2013) within the Pigtown Main Street area.

Proposed Amendment: The Planning Department recommends that City Council Bill #14-0347 be amended to change the land use from Residential to Community Business and the recommended zoning from R-8 to B-2-3 for all remaining properties within the Pigtown Main Street on Washington Boulevard between W. Cross Street and Scott Street.

Conformity to Comprehensive Master Plan: These City Council Bills are both compatible with the Comprehensive Master Plan for Baltimore City, 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 3: Promote Transit Oriented Development (TOD) and Mixed-use Development to Reinforce Neighborhood Centers and Main Streets

PLAY

Goal 2: Improve Nightlife, Entertainment, and Recreation Experiences for Residents and Visitors

Objective 1: Expand Access to Nightlife

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: see the "Conformity to Comprehensive Master Plan" section, above, and fulfilling the proposed recommended zoning within the Washington Village Urban Renewal Plan under CCB #14-0348.

2. The needs of Baltimore City: Allows for expanded commercial opportunities.

3. The needs of the particular neighborhood: Allows for expanded commercial opportunities along Washington Boulevard, the Pigtown Main Street area.

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: While the property is currently zoned residentially, the last known use is a Multi-Purpose Neighborhood Center, an existing non-residential use, so the proposed change will not alter the amount of non-residential uses in the area.

2. The availability of public facilities: The property is well-served by streets, utilities, police, fire and schools.

3. Present and future transportation patterns: The proposed zoning change acknowledges the level of traffic on Washington Boulevard and its designation as part of the Pigtown Main Street program.

4. Compatibility with existing and proposed development for the area: The proposed zoning change acknowledges this portion of Washington Boulevard's designation as part of the Pigtown Main Street program.

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: See "Conformity to Comprehensive Master Plan" section, above, and fulfilling the proposed recommended zoning within the Washington Village Urban Renewal Plan under CCB #14-0348.

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. This bill would qualify as a substantial change, as cited in the "Conformity to Comprehensive Master Plan" section, above, and fulfilling the proposed recommended zoning within the Washington Village Urban Renewal Plan under CCB #14-0348.

Petitioner Request: As referenced above, both bills were introduced at the request of 859 Washington Blvd, LLC to facilitate the proposed expansion of Charm City Swing. Currently, Charm City Swing operates under the Multi-Purpose Neighborhood Center use in the former sanctuary portion of 859 Washington Boulevard. Charm City Swing would like to operate under the Tavern use to allow for the sale of food and alcohol on the premises and to expand into the former community center portion of 859 Washington Boulevard, which is currently vacant. If City Council Bill #14-0347 and #14-0348 are approved, Charm City Swing will require the Board of Municipal and Zoning Appeals' approval to establish the proposed Tavern use, a conditional use under the proposed B-2-3 zoning classification.

COMMUNITY NOTIFICATION

The Citizens of Pigtown and Pigtown Main Street have been notified of the requested action. Additionally, all owners of properties impacted by Staff's recommended amendment to City Council Bill #14-0347 were notified of the requested action and Staff's amendment as proposed.

Thomas J. Stosur
Director

R-8
CLIFFORD ST
S. POPPLETON ST
W CROSS ST
CARROLL
0.353 AC