



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

February 26, 2015

REQUEST: City Council Bill #14-0463/ Rezoning – A Portion of 3901 Buena Vista Avenue

For the purpose of changing the zoning for a portion of the property known as 3901 Buena Vista Avenue, as outlined in red on the accompanying plat, from the M-1-1 Zoning District to the R-7 Zoning District.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: Edgehill Mews, LLC, c/o Mitch Gold

OWNER: American Builders & Contractors Supply Company, c/o Mark Singer

SITE/GENERAL AREA

Site Conditions: 3901 Buena Vista Avenue is located on the northeastern corner of the intersection with Cox Street. The property contains ±3.786 acres of land, and is presently zoned M-1-1 for industrial uses. The lot is improved with a one-story warehouse building that is used for by a roofing company. The lot has significant variation in topography, with the eastern portion of the site terracing up to approximately 24' higher in elevation than the western portion of the site.

General Area: This site is located in the northwestern corner of the Hampden neighborhood, which has a mix of residential, commercial and industrial uses. The property is just south of, and adjacent to the Buena Vista Park, and is two blocks north of the Union Mill Planned Unit Development.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

This proposal is in conformance with the Baltimore City Comprehensive Master Plan LIVE, EARN, PLAY, LEARN, with respect to Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 5: Increase the City's Population by 10,000 Households.

ANALYSIS

Project: The applicant would like to rezone the eastern portion of the property from the M-1-1 Industrial district to the R-7 Residential district, in order to redevelop it for residential use. Following staff's review of 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 provide for reasonable reuse of the eastern portion of the property that has been left vacant and unmanaged, which has led to concerns for the public's safety. The applicant cites this lack of use as resulting from it having no marketable value for industrial uses.

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:** This proposed rezoning supports the Comprehensive Plan's goals of increasing the City's population by 10,000 Households and of strategically redeveloping vacant properties.
2. **The needs of Baltimore City:** Across the City, several areas that were either formerly used for industrial purposes, or that whose industrial use was never realized, have been converted to residential use to support increased demand for new housing product.
3. **The needs of the particular neighborhood:** The Hampden neighborhood's housing market has been very strong in recent years, and this has led to an increase in renovation and/or redevelopment for residential uses.

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 Hampden neighborhood has been seeing an increase of residential development in recent years.
2. **The availability of public facilities;** This site is well served by public utilities.
3. **Present and future transportation patterns;** This site is located at the southern terminus of Edgemoor Avenue, and fronts on an unimproved portion of Conduit Avenue. Any future development will connect to existing City streets.
4. **Compatibility with existing and proposed development for the area;** The proposed rezoning will link existing areas of R-7 residential uses to the north and south.
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.** This proposed rezoning supports the Comprehensive Plan's goal of increasing the City's population by 10,000 Households.

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. There has been a substantial change in the character of the neighborhood, in that there has been an increased demand for residential use, either by way of rehabilitation and renovation of properties, or through reuse of non-residential properties.

Background: This rezoning will enable the eastern portion of the property to be developed with 18 new townhomes. A subdivision will be a required to sever the eastern portion of the property as part of that redevelopment project, and the new property line will coincide with the proposed boundary of this rezoning.

Community Notification: The following community organizations have been notified of this action: The Hampden Community Council, the Hampden Community Council – Land Use Committee, and the Medfield Community Association.



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