



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 7, 2015

REQUEST: City Council Bill #15-0486/ Rezoning – a Portion of 901 South Caton Avenue
For the purpose of changing the zoning for a portion of the property known as 901 South Caton Avenue, as outlined in red on the accompanying plat, from the O-R-2 Zoning District to the B-2-2 Zoning District.

RECOMMENDATION: Disapproval

STAFF: Eric Tiso

PETITIONER: St. Agnes Hospital c/o Caroline Hecker, Esq.

OWNER: Gibbons Commons, LLC

SITE/GENERAL AREA

Site Conditions: 901 South Caton Avenue is an approximately 32-acre site at the southeast corner of Wilkens and Caton Avenues and is zoned predominantly O-R-2 Office-Residential, with a portion of the northeastern corner of the property zoned B-2-2 Commercial. This is the site of the former Cardinal Gibbons High School, which closed in 2010, and was acquired by St. Agnes in 2013. The property has some historical significance, as George Herman "Babe" Ruth, Jr. attended the former St. Mary's Industrial School on this property, and he also played on the baseball diamond on the property.

General Area: The property is located at the intersection of Wilkens and Caton Avenues within the Wilhelm Park community of southwest Baltimore. The site enjoys close proximity to both I-95 and I-695. Its immediate neighbors include PS 226, Jenkins Memorial, and the Archbishop Keough Seton High School. The Amtrak-MARC rail line crosses paths with Wilkens Avenue, and Loudon Park Cemetery lies just beyond.

HISTORY

- Ordinance #13-162, dated September 13, 2013, approved the rezoning of this property from the M-1-1 Zoning District to the O-R-2 Zoning District, with a portion of the property to be rezoned to the B-2-2 Zoning District.

ANALYSIS

The request is to again split-zone the southern portion of the property as B-2-2, keeping the majority of the campus zoned O-R-2. Below is the staff's review of the required considerations of §16-305 of the Zoning Code. Staff finds that this change is not in the public's interest, in that it will create increased traffic impacts, and add significantly more intense commercial use to this property. We believe that the existing uses provided in the recently designated O-R-2 zone is appropriate for the campus concept plan the developers are currently pursuing, that there is adequate opportunity for business development in the established commercial corridors, and that there are no new changes or trends in development that would change our views from a year and a half ago, the last time we studied this area.

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:** There is nothing in the Comprehensive Plan, or any other adopted master plans that call for the rezoning of this property for commercial use. In the draft comprehensive rezoning project TransForm Baltimore, the expectation was that this property would be rezoned to EC-1 as an Educational Campus. Following that analysis, staff again reviewed this property for rezoning under CCB #13-0230 (later adopted as Ord. #13-162) and recommended that the property be rezoned to the O-R-2 district, without any portion being rezoned as B-2-2.
- 2. The needs of Baltimore City:** We believe that the appropriate location for commercial development is along the corridor of Wilkens Avenue, and that the City is already well served with commercial zoning in that area.
- 3. The needs of the particular neighborhood:** We believe that the former Gibbons campus can successfully be redeveloped with a variety of office-residential uses, which are compatible with the St. Agnes campus and the surrounding communities, and that more intense commercial use on this property is not needed. The existing Office Residential zoning allows some accessory commercial uses by right. This portion of South Caton Avenue is a relatively green stretch of road between heavier commercial corridors of Wilkens Avenue to the north and I-95 and Joh Avenue to the south. Additional commercial zoning would only serve to increase traffic on this corridor, and provide for more competition with the adjacent commercial corridors.

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 not been significant changes in population in the immediate area to indicate that additional commercially zoned land is needed.

2. **The availability of public facilities;** There are adequate public facilities to serve a variety of uses in this area.
3. **Present and future transportation patterns;** This site has convenient access to local and interstate highways. Staff is concerned that additional commercial zoning would negatively impact traffic on this corridor. Additionally, at the time that the concept plan was reviewed, a previous request for a curb cut from South Caton Avenue into the southern portion of the site was rejected, due to concerns over traffic volume and public safety. Should this southern portion of the site eventually be rezoned, access to that commercial area would need to come from the proposed internal loop road, as opposed to directly from Caton Avenue.
4. **Compatibility with existing and proposed development for the area;** Staff believes that the current concept plan to develop the site as an Office-Residential campus is an appropriate and compatible use. The proposed B-2-2 zoning brings the potential for a much higher intensity of commercial uses that are not compatible with the surrounding area.
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 disapproval 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.** There is nothing in the Comprehensive Plan that expressly calls for rezoning of this property, nor is the site included in any other adopted master plan that governs land use.

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. Staff previously supported the rezoning of the site from M-1-1 to O-R-2 only, in recognition of the change in the campus' ownership and proposed use. We do not believe that a further intensification of use is warranted.

Community Notification: The following community organizations have been notified of this action: the Wilhelm Park Neighborhood Association, the Violetville Community Association, Inc., the Morrell Park Community Association, Inc., and the Gwynns Falls Neighborhood Association.



Thomas J. Stosur
Director