



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

January 17, 2013

REQUESTS:

- City Council Bill #12-0167/ Rezoning – 1800 and 1802 Patapsco Street and a Portion of Patapsco Street
For the purpose of changing the zoning for the properties known as 1800 and 1802 Patapsco Street and a portion of Patapsco Street, as outlined in red on the accompanying plat, from the M-2-2 Zoning District to the R-8 Zoning District.
- Street Closing/ Closing a Portion of Patapsco Street, south of East Barney Street, as indicated on the attached block plat.

RECOMMENDATIONS:

- City Council Bill #12-0167: Approval
- Street Closing: Approval subject to comments from the Department of General Services

STAFF: Eric Tiso and Martin French

PETITIONER(S): Wells CRP Building LLC

OWNERS: Thomas W. Johnson: 1800 Patapsco Street; Wells CRP Building LLC: 1802 Patapsco Street; Mayor and City Council: Bed of Patapsco Street

SITE/ GENERAL AREA

Site Conditions: 1800 Patapsco Street is located on the west side of the street, approximately 90' southwest of the intersection with East Barney Street. This property measures approximately 12' by 134' and is currently improved with a two-story brick semi-detached residential building and one-story rear addition. 1802 Patapsco Street adjoins this property to its south and is similarly improved. These two properties are zoned M-2-2 and located within the Riverside National Register Historic District. Patapsco Street dead-ends immediately south of these properties after extending approximately 70' into the 1.63 acre formerly industrial property known as 2 East Wells Street.

General Area: This area is at the southern end of the South Baltimore residential area, which is predominantly row-housing over 100 years old. As a result of de-industrialization during the

latter half of the 20th Century many older manufacturing sites have been converted to residential use in recent decades; the proposed rezoning and associated closure of a portion of Patapsco Street would produce a larger site suitable for redevelopment as housing with associated service commercial uses.

HISTORY

The property known as 2 East Wells Street, which adjoins these properties and the bed of Patapsco Street to their immediate south, was rezoned from M-2-2 to R-8 as part of a comprehensive rezoning effort in 2008. Omission of 1800 and 1802 Patapsco Street from this action was essentially an oversight, as the practical result was to leave a tongue of land, 24' wide by over 140' deep (and already residential in use), separating two sections of R-8 zoning.

CONFORMITY TO PLANS

The proposed actions are consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1, Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents; and Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

ANALYSIS

Rezoning of 1800 and 1802 Patapsco Street, closure of the southernmost portion of the bed of Patapsco Street that juts southward into 2 East Wells Street after passing 1800 and 1802 Patapsco Street, and amalgamation of all four pieces of real estate would permit an efficient redevelopment of the site into a predominantly residential development with its own off-street parking and some limited service commercial uses, thus contributing to the viability of this area as part of South Baltimore's urban neighborhoods. Planning staff's rationale for supporting the rezoning is based on two principal concepts: 1) the mechanics of rezoning properties as required by the Land Use article of the Maryland Code, which governs how and when land can be rezoned, and 2) the general goal to balance various land uses.

Maryland Code Land Use article Requirements for Rezoning:

The Land Use article of the Maryland 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. In reviewing this request, the staff finds that:

- 1. The Plan:** The Comprehensive Master Plan calls for expanding housing choices for all residents, and for strategic redevelopment of vacant properties throughout the City (Live Goal 1, Objectives 1 and 2). The proposed actions would facilitate development of approximately 153 new dwelling units, served by over 240 parking spaces.
- 2. The needs of Baltimore City:** The City has an adequate supply of industrially zoned land already, and this proposed rezoning does not significantly diminish that supply.
- 3. The needs of the particular neighborhood:** There is demand for more residential zoning for this particular neighborhood, considering ample availability of commercial and industrial property in nearby areas of the South Baltimore peninsula and the strength of the residential real estate market in this area.

Similarly, the Land Use article requires the City Council to make findings of fact. The findings of fact include:

- 1. Population changes;** There have been significant incremental increases in population in this area, causing a need for additional residentially zoned properties in this area.
- 2. The availability of public facilities;** Adequate public facilities exist in this area for a wide range of uses.
- 3. Present and future transportation patterns;** There are limited anticipated changes or additional demands on the transportation patterns in this area, and as the properties are in the South Baltimore Traffic Mitigation Zone, the petitioner would be required to pay a mitigation fee.
- 4. Compatibility with existing and proposed development for the area;** The requested residential zoning would share a block with the existing R-8 neighborhood and would be compatible with similar residential redevelopment in South Baltimore.
- 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.** Rezoning would be consistent with the Comprehensive Master Plan, and supportive of the Mayor's goal of adding 10,000 households to Baltimore in the next decade.

To summarize, the proposed change is consistent with the character of the neighborhood, and as illustrated above, there appears to have been a mistake in not changing the existing zoning classification previously. In TransForm Baltimore, the proposed new zoning code for Baltimore, the draft land use maps show this site retaining its R-8 or equivalent residential zoning. Under the proposed new zoning code, limited neighborhood commercial-type uses would be conditionally allowed in some residential areas; in this development, these uses would serve primarily residents of the new housing units.

Street Closing:

The portion of Patapsco Street to be closed would begin at the northern lot line of 1800 Patapsco Street and extend past the fronts of 1800 and 1802 Patapsco Street approximately 70' deep into the lot at 2 East Wells Street, which is its southern end. This 1,041 square feet part of the public right-of-way would no longer be needed upon consolidation of those two lots with the larger lot at 2 East Wells Street. The street closing is being proposed by the petitioner because once the three lots adjoining the portion to be closed are under common ownership, and the two existing semi-detached dwellings have been razed, the 1,041 square feet of public way would no longer be needed and could be used as part of the redevelopment site.

The Department of General Services has indicated that closure of a portion of Patapsco Street south of Barney Street would require an easement for all utilities that are not relocated or abandoned, and a developer's agreement covering payment of costs and expenses in connection with this matter. It is Planning staff opinion that this southernmost portion of Patapsco Street, 1,041 square feet more or less, would no longer be needed to provide access to

adjacent properties, and could be closed, declared surplus right-of-way, and sold.

Staff notified the South Baltimore Neighborhood Association and the Riverside Neighborhood Association of this action.

Thomas J. Stosur
Director