

TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CCB #14-0380 / Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variance – 1312 West Lombard Street

CITY of
BALTIMORE
MEMO



TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

DATE: June 6, 2014

At its regular meeting of June 5, 2014, the Planning Commission considered City Council Bill #14-0380, for the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1312 West Lombard Street, as outlined in red on the accompanying plat; and granting a variance from an off-street parking requirement.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #14-0380 and adopted the following resolution; nine members being present (nine in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #14-0380 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Ms. Kaliope Parthemos, Chief of Staff
- Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development
- Mr. Leon Pinkett, Assistant Deputy Mayor
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services
- Urban Phoenix Holdings Corporation, Owner



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

June 5, 2014

REQUEST: City Council Bill #14-0380/ Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variance – 1312 West Lombard Street

For the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1312 West Lombard Street, as outlined in red on the accompanying plat; and granting a variance from an off-street parking requirement.

RECOMMENDATION: Amend and Approve

Amendment: Delete Section 2 of the bill (which grants a parking variance).

STAFF: Martin French

PETITIONER(S): Councilmember William "Pete" Welch, at the request of Urban Phoenix Holdings Corporation

OWNER: Urban Phoenix Holdings Corporation

SITE/ GENERAL AREA

Site Conditions: This property is located in the Union Square Historic District. 1312 West Lombard Street is approximately 16'6" by 134' (Block 232, Lot #38), is currently improved with an attached dwelling measuring approximately 16'6" by 54', and is approximately 99' west of the intersection with Carey Street. The site is zoned R-8.

General Area: This is a predominantly residential area, with scattered uses such as religious institutions, schools, and small warehouses or commercial uses. Two blocks to the west lie the fully restored rows of houses surrounding the historic Union Square gazebo and park. Five blocks to the southeast is the B & O Railroad Roundhouse and Museum, and five blocks to the south is Carroll Park, a major Baltimore City recreation amenity.

HISTORY

This property is located in the Union Square Historic District established by Ordinance 821 on June 2, 1970 and expanded by Ordinance 580 on November 17, 1977. The Union Square

Historic District was certified to the National Register of Historic Places on September 15, 1983. (The structure on this property dates from 1880.)

CONFORMITY TO PLANS

The proposed action is 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

Project: This legislation would permit the petitioner to renovate the existing structure into two dwelling units, providing a new life for this original building. This adaptive re-use as a two-family dwelling would allow preservation of part of Baltimore’s historic architectural fabric while offering more affordable housing alternatives to persons living within the Southwest Baltimore area.

Zoning Analysis: The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §4-1106). A lot area of 1,500 square feet is required for two dwelling units; this lot has 2,211 square feet. One off-street parking space is required to serve the newly-created dwelling unit. The existing house occupies less than half of the lot, and since the property is bordered on its north or rear lot line by Boyd Street, a parking variance is not needed in order to waive this requirement if access is approved using Boyd Street. The maximum lot coverage permitted in the R-8 district is 60%. The existing structure covers approximately 40% of the lot.

This property, due to extended vacancy, has reverted to single-family dwelling status under the Zoning Code. This bill would encourage re-use of what has become a blighting structure that has been subject to receivership proceedings.

Variances: §15-101(2) of the Zoning Code provides that variances may be granted as part of an ordinance authorizing a conditional use, by the Mayor and City Council. Staff recommends that the City Council amend this bill to delete the off-street parking variance. Two-family use of the property will not create any new or increased impacts on the surrounding neighborhood. The width of the lot, and its rear access via Boyd Street, allow off-street parking to be provided on site. Planning staff have conferred with the applicant’s representative and confirmed that the applicant is willing and able to provide the off-street parking in the rear yard if a curb cut is approved on Boyd Street.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {“Conditional Uses”} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;

2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and
4. the authorization is in harmony with the purpose and intent of this article (§14-204).

The proposed use as a 2-family dwelling would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would enable constructive re-use of a vacant structure that still retains some historic integrity as a contributing structure in one of Baltimore's most important historic districts.

Community Notification: Staff notified Communities Organized to Improve Life (COIL), Operation Reach Out Southwest (OROSW), and the Union Square Association of this matter.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a large, stylized initial "T".

Thomas J. Stosur
Director