


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #22-0288 / ZONING - CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 3 DWELLING UNITS IN THE R-8 ZONING DISTRICT - VARIANCES - 2905 PARKWOOD AVENUE		

TO

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

DATE: February 9, 2024

At its regular meeting of February 8, 2024, the Planning Commission considered City Council Bill #22-0288, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 3 dwelling units in the R-8 Zoning District on the property known as 2905 Parkwood Avenue (Block 3232A, Lot 003), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size), and off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #22-0288 and adopted the following resolutions, with seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #22-0288 be **amended and approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office  
The Honorable Eric Costello, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Ms. Rebecca Witt, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Alex Aaron, applicant



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

### STAFF REPORT



Chris Ryer  
Director

February 8, 2024

**REQUEST:** City Council Bill #22-0288 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2905 Parkwood Avenue:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 3 dwelling units in the R-8 Zoning District on the property known as 2905 Parkwood Avenue (Block 3232A, Lot 003), as outlined in red on the accompanying plat; and granting variances from certain bulk (lot area size), and off-street parking requirements.

**RECOMMENDATION:** Amendment, and Approval as amended

Amendment: Add a variance of gross floor area conversion standards for the proposed dwelling units: authorize 560 square feet in lieu of 750 square feet for each

**STAFF:** Eric Tiso

**PETITIONER:** Councilmember Torrence, on behalf of 2905 Parkwood Ave LLC

**OWNER:** 2905 Parkwood Ave LLC (Alex Aaron, principal)

### **SITE/GENERAL AREA**

Site Conditions: 2905 Parkwood Avenue is located on the east side of the street, approximately 30' northwest of its intersection with Ruskin Avenue. This property measures approximately 14' by 83' and is currently improved with a three-story attached residential building measuring approximately 14' by 57'. The building was condemned on March 20, 2012 and has remained vacant since then. It was conveyed to the present owner by the Mayor and City Council in 2021 subject to a Land Disposition Agreement that was amended in 2023 to allow re-use of the premises as a multi-family dwelling containing three dwelling units. The property is zoned R-8 and is located in the Auchentoroly Terrace National Register Historic District and the Auchentoroly-Parkwood community.

General Area: This is a primarily residential area approximately 125 years old that contains a few scattered non-residential uses such as religious institutions and small street-corner commercial uses. The northeastern boundary of the community is the roadway separating it from Druid Hill Park.

### **HISTORY**

There are no previous legislative or Planning Commission actions regarding this site. The Auchentoroly Terrace Historic District was listed on the National Register of Historic Places on

September 17, 2015. The area around this property retained its R-8 zoning during the comprehensive rezoning process associated with adoption of the current Zoning Code which became effective on June 5, 2017.

## **ANALYSIS**

Background: This vacant property is one of several on this block that are being sold by the City of Baltimore through the Department of Housing and Community Development’s Vacants-to-Value Program. Because the original Land Disposition Agreement (LDA) limited the number of dwelling units to two, it was necessary to have the LDA amended, and approved as amended by the Board of Estimates, before this bill could be considered by the Planning Commission. While this building remained vacant, its advanced state of deterioration led the new owner to conclude that only the “front building” portion of the original rowhouse would be reusable as new dwelling units, while the “back building” portion of the original rowhouse would be demolished. This is reflected in the floor plans for the proposed three dwelling units, all of which will now be one-bedroom units.

### Zoning Analysis:

- The Zoning Code requires, for a property in the R-8 zoning district, 750 square feet of lot area per dwelling unit (BCZC Table 9-401). A lot area of 1,875 square feet is required for three dwelling units. As this lot has approximately 1,162 square feet, a 713 square feet lot area size variance, amounting to approximately 38%, is needed for approval. The lot area variance is included in the bill’s Section 2.
- One off-street parking space is required to serve each newly created dwelling unit (BCZC §16-203 and Table 16-406). As this property is 14’ wide and has a 20’ wide rear alley, it cannot provide more than one parking space meeting the Zoning Code standard of 9’ wide by 18’ deep (BCZC Table 16-402). A parking variance is included in the bill’s Section 3.
- Floor plans provided by the owner propose creation of a one-bedroom dwelling unit on each level in the “front building” portion of the existing structure. A one-bedroom dwelling unit requires 750 square feet of gross floor area (BCZC §9-703(c)). Floor plans provided by the new owner show 459 net square feet, 460 net square feet, and 492 net square feet of floor area for the three proposed dwelling units. However, the “front building” portion of the existing rowhouse structure measures approximately 14’ by 40’ and thus gives each level a gross floor area of 560 square feet, which is still less than the minimum required. A variance of gross floor area per dwelling unit needs to be added to the bill.

### Conditional Use: Per §5-406 {“Approval standards”} of Article 32 – *Zoning*:

#### (a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;

- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

Establishment, location, construction, maintenance, and operation of a multi-family dwelling at 2905 Parkwood Avenue would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including any Urban Renewal Plan. Use of this property for a multi-family dwelling is not otherwise in any way contrary to the public interest. The authorization would be in harmony with the purpose and intent of the Zoning Code.

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – *Zoning*:

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property in the vicinity;
- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

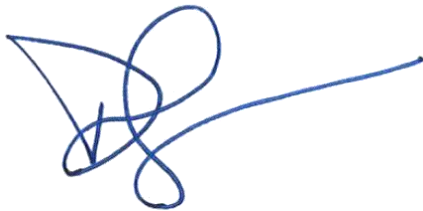
Staff finds that the site, including its size and shape, is appropriate for the proposed use. There would be no change to traffic patterns if this use would be authorized. The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy rowhousing but in which some conversions of single-family to multi-family dwellings occurred during the 20<sup>th</sup> Century. For this reason, it is unlikely that the proposed multi-family use would impair present or future development. There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering. There is adequate accessibility for emergency vehicles, and of light and air to the premises and to other properties in the vicinity. There are adequate utilities, roads, drainage, and other necessary facilities. The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures. Approval of the proposed use as a multi-family dwelling would not affect the existing character of the neighborhood, as noted above. While consistent

with provisions of the City’s Comprehensive Master Plan, the proposed use is not prevented or limited by any Urban Renewal Plan. Multi-family use would meet all applicable standards and requirements of the Zoning Code upon granting of variances discussed previously, and would be consistent with the intent and purpose of the Zoning Code.

Equity considerations: This property is located within a part of Baltimore City that has lagging real estate market values and a proportion of non-whites that is above the City-wide average. The Auchentoroly-Parkwood community, as part of the larger West Baltimore-Mondawmin part of Baltimore, suffered from significant disinvestment, combined with some population changes, for several decades. While there would be no apparent or predictable changes to the quality of life in the Auchentoroly-Parkwood community that would result from disapproval of this proposed action, there is a predictable, though limited, improvement that could result from completion of renovation and re-use of this property, reinforced by creation of additional housing options for residents. By itself, the proposed action would not change existing patterns of inequity that persist in Baltimore.

Internal Operations: The proposed residential conversion would not affect the operations of the Department of Planning.

Notification: The New Auchentoroly Terrace Association, Penn North Community Association, Solid Rock and Redeemer Assembly of God, and Councilman Torrence have been notified of this action.



**Chris Ryer**  
**Director**