

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	City Council Bill #21-0076 / Zoning – Conditional Use Conversion to 2 Dwelling Units in the R-8 Zoning District - - Variance – 1049 Brantley Avenue		

TO

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

DATE: June 25, 2021

At its regular meeting of June 24, 2021, the Planning Commission considered City Council Bill #21-0076, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units on the property known as 1049 Brantley Avenue (Block 0115, Lot 069), as outlined in red on the accompanying plat; and granting a variance from certain bulk regulations (lot area size).

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #21-0076, and adopted the following resolutions, nine members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff to add a variance of off-street parking regulations to this bill, but does not concur with the recommendation of its Departmental staff to add a variance of conversion standards for Residential Conversions, adopts the findings of fact outlined in the attached staff report and its equity findings, with consideration for testimony and facts presented in this meeting, and recommends that City Council Bill #21-0076 be amended to add a variance of off-street parking regulations and be passed 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. Natasha Mehu, Mayor's Office
 Ms. Nina Themelis, Mayor's Office
 Mr. Ted Carter, Mayor's Office
 The Honorable Eric Costello, Council Rep. to Planning Commission
 Mr. Matthew Stegman, City Council President's Office
 Ms. Nikki Thompson, City Council President's Office
 Mr. Colin Tarbert, BDC
 Ms. Kathleen Byrne, 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. Dominic McAlily, Council Services
Ms. Amy Rappole, Legislative Reference
Mr. Ronald Anderson



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

June 24, 2021

REQUEST: City Council Bill 21-0076 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – Variance – 1049 Brantley Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1049 Brantley Avenue (Block 0115, Lot 069), as outlined in red on the accompanying plat; and granting a variance from certain bulk regulations (lot area size).

RECOMMENDATION: Amendment, and Approval as amended

Amendments: Add a variance of off-street parking regulations; add a variance of conversion standards for Residential Conversions to allow a two-bedroom unit with less than 1,000 square feet of floor area.

STAFF: Martin French

PETITIONERS: Councilmember Bullock, at the request of Ronald Anderson

OWNER: RMA LLC c/o Ronald Anderson

SITE/ GENERAL AREA

Site Conditions: This property is located on the southeast corner of the intersection of Brantley Avenue and Arlington Avenue, and is currently improved with a three-story semi-detached dwelling measuring approximately 15'2" by 55' on a lot measuring approximately 15'3" by 70'. This structure, built in the middle of the 19th Century, is now a vacant single-family residential property. The site is zoned R-8 and is on the eastern side of the Harlem Park community.

General Area: This is a primarily residential area, with scattered non-residential uses such as religious institutions and small street-corner commercial uses located several blocks in either direction along Arlington Avenue and along Edmondson Avenue which parallels Brantley Avenue to its south. Brantley Avenue, which runs west-to-east for one block between Arlington Avenue and Schroeder Street, is in the Harlem Park II Urban Renewal Plan Area and the Old West Baltimore National Register Historic District.

HISTORY

The Harlem Park II Urban Renewal Plan was adopted by Ordinance no. 419 on July 6, 1960, and was last amended by its Amendment no. 6 made effective by Ordinance no. 10-264 in 2010. The

- (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 20th 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.

Floor plans: Preliminary floor plans prepared by the owner show two dwelling units, the upper one containing over 1,250 gross square feet of floor area as required by the conversion standards of the Zoning Code §9-703, but the lower one only having approximately 815 square feet on its first floor level. The owner intends to finish part of the basement of the building to provide additional floor area for the first floor level unit. The revised floor plans would be submitted for permit approval if this conversion is authorized.

Equity considerations: This property is located within a part of Baltimore City that has low real estate market values and a proportion of non-whites that is above the City-wide average. The Harlem Park community, as part of the larger West Baltimore area, has suffered from significant net disinvestment, combined with population losses, for several decades. While there would be no apparent or predictable changes to the quality of life in the Harlem Park 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. However, the proposed action should be considered in the context of other actions generating both investment in and re-activation of significant parts of West Baltimore. Two blocks east of this property is the Upton Gateway project, which is renovating 38 vacant row-houses in the 800 blocks of Harlem and Edmondson Avenues, and which already has four of these dwellings under contract of sale for homeownership opportunities. Along with such action under the auspices of the Department of Housing and Community Development, this conversion could be part of a new beginning to counteract patterns of inequity. There would be no effect on internal operations of the Department of Planning that would result from approval of the proposed action.

Notification: Harlem Park Neighborhood Council, Harlem Park Community Development Corporation, and Councilman Bullock have been notified of this action.



Chris Ryer
Director