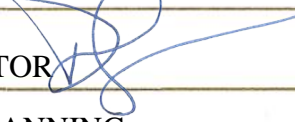



FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #25-0055 / ZONING – CONDITIONAL USE – PARKING LOT (PRINCIPAL USE) – VARIANCES – 701 MURA STREET		

TO

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

DATE: April 28, 2025

At its regular meeting of April 24, 2025, the Planning Commission considered City Council Bill #25-0055, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a principal use parking lot on the property known as 701 Mura Street (Block 1155, Lot 70), as outlined in red on the accompanying plat; granting certain variances from minimum lot area, minimum interior side yard, and minimum rear yard requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #25-0055 and adopted the following resolutions, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-308 and §5-406 of Article 32 – *Zoning*, that:

- (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;
- (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
- (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
- (4) the variance will not:
 - (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or
 - (ii) substantially diminish and impair property values in the neighborhood;
- (5) the variance is in harmony with the purpose and intent of this Code;
- (6) the variance is not precluded by and will not adversely affect:
 - (i) any Urban Renewal Plan;
 - (ii) the City's Comprehensive Master Plan; or
 - (iii) any Historical and Architectural Preservation District; and
- (7) the variance will not otherwise:
 - (i) be detrimental to or endanger the public health, safety, or welfare; or
 - (ii) be in any way contrary to the public interest.

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 #25-0055 be **amended and approved** by the City Council with the following amended variance to permit 66.1% impervious surface in lieu of the 65% permitted by right, and the condition that the parking spaces will be attributed to the recently renovated homes in the same block for their use.

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 John Bullock, Council Rep. to Planning Commission
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Hilary Ruley, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Luciano Diaz, DOT
Ms. Nancy Mead, Council Services
Ms. Drew E. Tildon, Esq.



Brandon M. Scott
Mayor

PLANNING COMMISSION

Jon Laria, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

April 24, 2025

REQUESTS:

City Council Bill #25-0055/ Zoning – Conditional Use – Parking Lot (Principal Use) – Variances 701 Mura Street:

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a principal use parking lot on the property known as 701 Mura Street (Block 1155, Lot 70), as outlined in red on the accompanying plat; granting certain variances from minimum lot area, minimum interior side yard, and minimum rear yard requirements; and providing for a special effective date.

City Council Bill #25-0056/ Zoning – Conditional Use – Parking Lot (Principal Use) – Variances 702 Mura Street:

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a principal use parking lot on the property known as 702 Mura Street (Block 1155, Lot 101), as outlined in red on the accompanying plat; granting certain variances from minimum lot area, minimum interior side yard, and minimum rear yard requirements; and providing for a special effective date.

RECOMMENDATIONS:

- City Council Bill #25-0055: Adopt findings and Approve
- City Council Bill #25-0056: Adopt findings and Approve

STAFF: Brandon Kanoy

PETITIONER: Drew Tildon, Esq.

OWNER: Mayor and City Council of Baltimore

SITE/GENERAL AREA

Site Conditions: The north property (702 Mura Street) is currently developed with 3 rowhouses in substantial states of disrepair. The south property (701 Mura Street) is currently vacant. Demolition of the structures on the south property was previously permitted, but was not part of this proposal.

General Area: The site is located approximately 2 blocks directly south of the Green Mount Cemetery. It is well-served by traffic connections, mainly along Greenmount Avenue, which connects to Mura Street on the West termination of Mura Street. The Red CityLink bus line runs along Greenmount Avenue, with a Southbound stop located directly across Greenmount Avenue,

and a Northbound stop less than 1 block north along Greenmount Avenue. The Johnston Square Urban Renewal Plan governs development in this area.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

The 2024 Comprehensive Master Plan for the City of Baltimore was enacted by Ordinance #24-426, dated December 2, 2024. The subject property is designated in the “Higher Density” group in the General Land Use Plan. This proposed development conforms to that designation, which specifically calls out rowhouse residential development. The proposed Conditional Use will support the use and preservation of the existing rowhouses in this area and land use group.

The proposal meets the goals outlined in the Johnston Square Urban Renewal Plan.

ANALYSIS

Background: A total of 10 parking stalls are proposed in this project. The north lot (702 Mura Street) will have 6 parking spaces, and the south lot (701 Mura Street) will have 4 parking spaces. Included in this proposal are sidewalk improvements along the frontage of the properties, with truncated dome ramps to be installed to current ADA standards. The north property will include a minimum of 1 accessible parking stall. Parking will be reserved for residents of the inner block rowhomes.

Conditional Use Approval Standards:

§ 5-406. Approval standards.

(a) Evaluation criteria.

As a 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.

(b) Limited criteria for denying.

The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that:

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

Below is the staff's review of Article 32 – *Zoning*, §5-406 {"Approval standards"}: Staff finds that the proposed conditional use minimizes the impact on the surrounding neighborhood. It provides safe off-street parking which will enhance the local use of the alley street. Fewer vehicles parked on the alley street will allow for more efficient access of emergency vehicles to the area. Construction of this conditional use will also preserve the existing uses in the area to the maximum extent possible, as it will remove substantially damaged structures, and prevent such damage from spreading to connected rowhouses. Staff finds the proposal is a prudent use of the available space and that it will provide additional access for future residents.

Variance Approval Standards:

§ 5-308. Approval standards.

- (a) Required finding of unnecessary hardship or practical difficulty.
In order to grant a variance, the Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must find that, because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.
- (b) Other required findings.
The Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must also find that:
 - (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;
 - (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;
 - (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;
 - (4) the variance will not:
 - (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or
 - (ii) substantially diminish and impair property values in the neighborhood;
 - (5) the variance is in harmony with the purpose and intent of this Code;
 - (6) the variance is not precluded by and will not adversely affect:
 - (i) any Urban Renewal Plan;
 - (ii) the City's Comprehensive Master Plan; or
 - (iii) any Historical and Architectural Preservation District; and
 - (7) the variance will not otherwise:
 - (i) be detrimental to or endanger the public health, safety, or welfare; or
 - (ii) be in any way contrary to the public interest.

Below is the staff's review of Article 32 – *Zoning*, §5-308 {"Approval standards"}: Staff finds that the variances requested are necessary for the function of this project. Given the unique conditions of the site, strict application of zoning standards as written would place a greater burden on the applicant than is typical for most sites. Staff finds no adverse impacts with regard to the goals of the Urban Renewal Plan, or the Comprehensive Master Plan. The site is not located within any Historical and/or Architectural Preservation District. The variances requested

will not be detrimental to or endanger the public health, safety, or welfare, and will not be contrary to the public interest.

Equity:

- Impact: The proposed parking lots allow for the development of off-street parking for these inner block lots. This lessens the parking demand on the narrow alley street, and will allow future residents to better utilize the streetscape.
 - In the short term, this will allow the developer to provide vehicle parking as an amenity for future residents of this development. In the long-term, off street parking can be redeveloped or repurposed more easily than comparable on-street parking.
 - This proposal will enhance the revitalization efforts for the block. Baltimore has a long history of inner block lots which provide different options for homeowners at various price points. Preservation of a diversity of housing is key to providing homes for all.
- Engagement:
 - The developer has maintained substantial contact with the Rebuild Johnston Square neighborhood group.
- Internal Operations:
 - This project has received SPRC approval. Approval for SPRC 2025-004 was granted on 6 March 2025, and will expire on 6 March 2026. The applicant may file for extensions of this expiration as needed.

Notification: Rebuild Johnston Square has been notified of this action.



Chris Ryer
Director