

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #12-0145 / ZONING – CONDITIONAL USE CONVERSION OF A 2-FAMILY DWELLING UNIT TO A 3-FAMILY DWELLING UNIT IN THE R-8 ZONING DISTRICT – 1427 McCULLOH STREET

CITY of
BALTIMORE
MEMO



TO

DATE:

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

October 19, 2012

At its regular meeting of October 18, 2012, the Planning Commission considered City Council Bill #12-0145, for the purpose of permitting, subject to certain conditions, the conversion of a 2-family dwelling unit to a 3-family dwelling unit in the R-8 Zoning District on the property known as 1427 McCulloh Street, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #12-0145 and adopted the following resolution; eight members being present (eight in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #12-0145 be 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/ewt

Attachment

- cc: Ms. Kaliope Parthemos, Deputy Chief for Economic and Neighborhood Development
- Mr. Alex Sanchez, Chief of Staff
- 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
- Mr. Nicholas Blendy, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services
- Mr. Kevin Sanders, Oak Pointe Associates



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

October 18, 2012

REQUEST: City Council Bill 12-0145/ Zoning – Conditional Use Conversion of a 2-Family Dwelling Unit to a 3-Family Dwelling Unit in the R-8 Zoning District – 1427 McCulloh Street

For the purpose of permitting, subject to certain conditions, the conversion of a 2-family dwelling unit to a 3-family dwelling unit in the R-8 Zoning District on the property known as 1427 McCulloh Street, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER(S): Oak Pointe Associates, LLC

OWNER: Mayor and City Council (DHCD Land Resources)

SITE/ GENERAL AREA

Site Conditions: This property is located on the northeast side of the street, approximately 50' southeast of the intersection with Mosher Street. This property measures approximately 20'6" by 95' and is currently improved with a three-story brick attached residential building measuring approximately 20'6" by 57'. This site is zoned R-8 and is located within the Madison Park South Urban Renewal Plan area and the Upton's Marble Hill Historic District.

General Area: This is a predominantly residential area, with scattered uses such as religious institutions, schools, and parks included. Upton's Marble Hill, in which this property is situated, was originally developed in the early 1890s as single-family row-housing for middle-class families. In the first decade of the 20th Century, this area became home to Baltimore's black African-American middle class, including several notable persons cited in the history of the neighborhood. Although parts of this general area have suffered from disinvestment, the core of housing in Upton's Marble Hill has remained relatively intact.

HISTORY

This property is at the western edge of the Madison Park South Urban Renewal Area, subject to the Urban Renewal Plan adopted by ordinance on July 3, 1961. This Plan has been amended five times, most recently by ordinance no. 891 dated June 13, 1975. The Plan designates this property as part of an area of medium density residential use, in its Exhibit 2, Land Use Plan.

This property is also part of the Upton's Marble Hill Historic District enlarged area approved by ordinance no. 491 dated May 21, 1990. A total of 184 properties are included in this historic district, which is under the jurisdiction of the Commission for Historical and Architectural Preservation of Baltimore City (CHAP).

This property was listed as having three apartments in the Police Survey of 1931. In the 1960s it was twice listed as a boarded vacant building, and in 1972 a Certificate of Occupancy for two dwelling units at this address was issued to the Housing Authority of Baltimore City, which had redeveloped it with Federal funds as part of its Rehabilitated Housing Program (scattered-site public housing). In August of 2011 the Housing Authority conveyed this vacant property to the Mayor and City Council for disposition; it is now under contract to the petitioner via the Vacants to Value program.

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.

Rehabilitation of the existing building as dwelling units would be consistent with Reasons for the Various Provisions of the Madison Park South Urban Renewal Plan, such as removing concentrations of blighting factors, curtailing deteriorating influences, and conserving residential uses.

ANALYSIS

This property is in a historic district and thus is eligible for historic tax credits for restoration and renovation. Because each floor of the existing structure would yield approximately 1,100 square feet of living space, converting a vacant building to three occupied apartments of a size affordable to families in the area would allow its re-use to preserve a part of Baltimore's historic architectural fabric while offering housing opportunities to persons employed in downtown or northwestern Baltimore. Because the property is within the Upton's Marble Hill Historic District, all exterior changes, including additions, demolitions, and alterations are subject to review and approval by CHAP. The alternative, i.e. allowing the property to remain vacant, would allow it to continue to be a blighting influence on its immediate area.

In the context of Zoning Code requirements, a lot area of 1,875 square feet is required for three dwelling units in a R-8 District; this lot has 1,947.5 square feet. Off-street parking spaces for two vehicles would be required; the rear portion of the property can provide two spaces. Thus, this conversion would have been approvable under §3-305.b. of the Zoning Code had the property not been located in the R-8 District.

Under TransForm Baltimore, the draft new zoning code, this property would remain in a R-8 District. The current (May 2012) draft of the new code would require lot area identical to the current code, and would add floor area minimum requirements based on bedroom count in each dwelling unit. For conversion, the existing building would need at least 1,500 square feet of gross floor area; 2417 McCulloh Street has approximately 3,500 square feet of gross floor area,

and thus would be eligible for conversion without approval of a variance of this standard. Each 1-bedroom dwelling unit would require 750 square feet of floor area, and each 2-bedroom dwelling unit would require 1,000 square feet of floor area. As this building would yield approximately 1,100 square feet of floor area per floor, conversion of the building would be possible without approval of a variance of this standard. One parking space would be required for each dwelling unit; the lot width would not allow more than two spaces, and thus a variance of the off-street parking requirement in the proposed new code would be needed for approval of the request.

Staff notified the Midtown Benefits District, Marble Hill Community Association, Upton Planning Committee, and Councilman Cole of this matter.



Thomas J. Stosur
Director