


TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #12-0137/FELLS POINT HISTORIC DISTRICT		

TO

DATE:

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

November 2, 2012

At its regular meeting of November 1, 2012, the Planning Commission considered City Council Bill #12-0137, for the purpose of removing certain properties from the boundaries of the Fells Point Historic District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended disapproval of the request. After testimony, the Planning Commission 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 #12-0137 be disapproved 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, 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. Karen Randle, Council Services
 Ms. Elena DiPietro, Law Dept.
 Ms. Kathleen Kotarba, Chief, CHAP



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

November 1, 2012

REQUEST: City Council Bill #12-0137/Fells Point Historic District

RECOMMENDATION: Disapproval

STAFF: Natasha Becker

PETITIONER: Councilmember James Kraft on behalf of Washington Square Homeowners Association

OWNER: Various

SITE/GENERAL AREA

Site Conditions: The properties requested to be amended out of the Fells Point Historic District include fifteen 2½ - story brick front row homes constructed in the late 1980s and two single-story old industrial-type buildings. The row homes are part of the Washington Square Homeowners Association and non-contributing, but the industrial buildings are contributing structures. Fourteen of the Washington Square homes front on Aliceanna Street, with the 15th fronting Fountain Street. Interestingly, there are 11 additional Washington Square homes which front on Fountain Street which are not included in the bill and would remain in the district should the bill be approved as written. Councilman Kraft's office has indicated that this was an oversight.

General Area: The Fells Point Historic District

HISTORY

There have been no Planning Commission actions concerning the subject properties. However, the current legislation was reviewed and recommended unfavorably by CHAP on October 9, 2012. And previous City Council Bill #10-0486 (for the same purpose) was also reviewed and recommended unfavorably by CHAP and failed to get approval by the end of term.

ANALYSIS

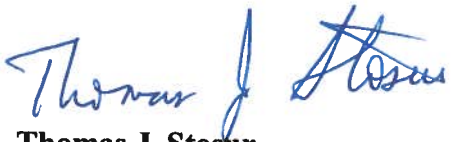
The property owners of the Washington Square Homeowners Association in the Fells Point Historic District have requested that their properties be removed from restrictions found in the Historic Preservation Guidelines that CHAP enforces. The development was constructed in the late 1980s in a style reminiscent of early 19th century brick construction found throughout the district. The homes are 2½ stories high with brick front facades, wood windows with false interior mullions, asphalt shingle roofs, and metal front doors. The rears of the properties have

brick and stucco finishes with either vinyl or metal windows. During the designation of the Fells Point Historic District the properties were determined to be non-contributing and outside of the period of significance for the district. The properties were included in the district at the request of several community organizations that requested the inclusion of these and other properties along the waterfront and edges of the district.

Approximately three summers ago the CHAP office, under a previous set of guidelines, received a request from the current Vice President of the Association, Jeff Bernstein, to find out if there was suitably acceptable vinyl window product for use. The association over the course of the last 20 years has had a number of homeowners change their window types and material for more contemporary ones under the previous Urban Renewal Law. The Preservation Society DRC was consulted in those instances. In its review of applications within Washington Square today, preservation staff refers to CHAP's "New Construction" guidelines (as opposed to the "Historic Building" guidelines), which apply to recent construction in historic districts. Doing so has allowed sufficient non-historic materials options.

Staff finds that the removal of these properties from the district would create an unusual cutout in the district that includes both contributing and non-contributing resources. Furthermore, the removal from the district would create a precedent that could lead other property owners of both historic and non-contributing properties to request removal from CHAP because they do not want to follow the CHAP guidelines, including the community consultation review. Planning staff concurs with CHAP's assessment that this bill would undermine the effectiveness of the districts and purposes for which they were established. The Preservation Society Design Review Committee has been consulted and is in agreement with following the staff recommendation as it pertains to material in the "New Construction Guidelines" section.

The following groups have been notified of this action: The Preservation Society, Fells Point Task Force, Fells Point Community Organization, Fells Point Homeowners Association, and Fells Point Main Street.



Thomas J. Stosur
Director