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<b>FROM</b>	<b>NAME &amp; TITLE</b>	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	<b>SUBJECT</b>	CITY COUNCIL BILL #12-0103/ ZONING – CONDITIONAL USE PARKING, OPEN OFF-STREET AREA- 3718-3720 GWYNN OAK AVENUE		

TO

DATE:

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

July 13, 2012

At its regular meeting of July 12, 2012, the Planning Commission considered City Council Bill #12-0103, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area on the property known as 3718-3720 Gwynn Oak Avenue, 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 #12-0103 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 #12-0103 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

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  
 Gwynn Oak Islamic Community Company



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**July 12, 2012**

**REQUEST:** City Council Bill 12-0103/ Zoning – Conditional Use Parking, Open Off-Street Area – 3718-3720 Gwynn Oak Avenue

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, open off-street area on the property known as 3718-3720 Gwynn Oak Avenue, as outlined in red on the accompanying plat.

**RECOMMENDATION:** Approval

**STAFF:** Martin French

**PETITIONER(S):** Councilmember Spector, at the request of Gwynn Oak Islamic Community Company

**OWNER:** Gwynn Oak Islamic Community Company and Presley Cason III

#### **SITE/ GENERAL AREA**

**Site Conditions:** 3718-3720 Gwynn Oak Avenue is located on the southwest corner of the intersection with Belle Avenue. This property includes two lots, 3718 Gwynn Oak Avenue which measures approximately 61' by 172'6" and is currently improved with a two-story detached residential building measuring approximately 34' by 34', and 3720 Gwynn Oak Avenue which measures approximately 60' by 172'6" and is currently unimproved. This site is zoned R-4 and is surrounded by detached residential properties.

**General Area:** The property is located in the heart of residential neighborhoods developed in the early 20<sup>th</sup> Century made up of single-family detached and semi-detached housing with some other uses such as schools and churches included. The commercial corridor of Liberty Heights Avenue is two blocks south of this location. A new mosque, for which this parking area would serve as off-street parking, is located directly across Gwynn Oak Avenue on the southeast corner of the intersection with Belle Avenue.

#### **HISTORY**

There is no previous legislative history concerning this property only. The property is included in the area covered by the Greater Northwest Community Coalition Strategic Neighborhood Action Plan.

## CONFORMITY TO PLANS

*Winston?*  
The proposed action is required by the Zoning Code, §4-704 which lists parking, open off-street areas, other than accessory, for the parking of 4 or more automobiles – but only if no charge or fee is imposed for parking, as a conditional use for which an ordinance is required in a R-4 District. The proposed action is consistent with the City of Baltimore’s Comprehensive Master Plan, LIVE EARN PLAY LEARN, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods. The parking area would help to serve the needs of a growing Islamic community in the northwestern portion of Baltimore City and nearby parts of Baltimore County for a place of worship.

## ANALYSIS

In the Zoning Code, religious institutions, including churches, temples, and synagogues, are permitted by right in Residence Districts. The Gwynn Oak Islamic Community received Site Plan Review Committee approval for plans for both a mosque at 3723 Gwynn Oak Avenue and an open off-street parking area at 3718-3720 Gwynn Oak Avenue on August 8, 2010. The Board of Municipal and Zoning Appeals made its approval of certain variances related to the mosque at 3723 Gwynn Oak Avenue conditional upon the Gwynn Oak Islamic Community providing adequate off-street parking to support the use of that property as a place of worship. Approval of this bill would facilitate accomplishment of this requirement.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {“Conditional Uses”} of the Zoning Code:

1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and
4. the authorization is in harmony with the purpose and intent of this article (§14-204).

Planning staff, having reviewed the proposed conditional use in relation to these criteria, have determined that the proposed open off-street parking area at 3718-3720 Gwynn Oak Avenue meets these requirements for approval by ordinance of the Mayor and City Council of Baltimore, and recommends that the Planning Commission find accordingly in favor of this bill.

Staff notified Howard Park Community Activity Association, Howard Park Civic Association, Howard Park Strategic Planning and Community Development Corporation, Gwynn Oak Islamic Community Company and Presley Cason III, and Councilmember Spector of this action.



**Thomas J. Stosur**  
**Director**