

TJS

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #11-0676 / CONDITIONAL USE HOUSING FOR THE ELDERLY – 4300 FREDERICK AVE

CITY of  
BALTIMORE  
**MEMO**



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

DATE: June 3, 2011

At its regular meeting of June 2, 2011, the Planning Commission considered City Council Bill #11-0676, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of housing for the elderly on the property known as 4300 Frederick 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 #11-0676 and adopted the following resolution; seven members being present (seven in favor).

**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #11-0676 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. Kaliopé Parthemos, Deputy Mayor
- Mr. Peter O'Malley, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Bill Henry, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Karen Randle, Council Services
- Mr. Bob Rosenfelt, Engineer for Applicant



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**June 2, 2011**

**REQUEST:** City Council Bill #11-0676 / Zoning – Conditional Use Housing for the Elderly – 4300 Frederick Avenue

**RECOMMENDATION:** Approval

**STAFF:** Melvin Hicks

**PETITIONER(S):** Greens at Irvington Mews, Limited partnership and Enterprise Community Partners, Inc.

**OWNER:** Big Mac Maryland III, LLC, represented by James Walsh

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

**Site Conditions:** The project site is comprised of the two properties, one property is known as Lot 1 of Block 8127A and the other property is a portion of the parcel known as Lot 2A/3 of Block 8127A. The project site is approximately 3.76 acres in size and is zoned R-7. The site is a wooded and unimproved and fronts onto both Frederick Avenue and South Woodington Avenue.

**General Area:** The project site is located in Southwest Baltimore in the Irvington Community. There is a mix of housing types in the immediate area of the site and they include single family town homes, multi-family dwellings and single family detached homes.

#### **HISTORY**

On July 13, 2006 the Planning Commission approved Final Subdivision and Development Plan for the subject site (excluding Lot 1 of Block 8127A) which created 46 fee lots for the development of 45 townhouses and one HOA lot for parking and access. However, because of unfavorable market conditions, this proposed residential development project was not able to proceed.

#### **CONFORMITY TO PLANS**

This site is located Southwest Baltimore in the Irvington Community. This project is compatible with the Comprehensive Plan's LIVE section, Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

**Project:** The applicant and contract purchaser of the project site are Greens at Irvington Mews, Limited partnership and Enterprise Community Partners, Inc. The applicant proposes to build a four story building with 100 units for housing for the elderly. The elderly housing project will be known as the “Greens at Irvington Mews”. To accomplish this project, the applicant has agreed to purchase the project site, (Lot 1 and portion of Lot 2A/3 of Block 8127A). Additionally, the properties that make up the site will have to be consolidated. Of the total site of 3.76 acres, it is anticipated that approximately 1.71 acres will be used for the Greens at Irvington Mews. The remainder of the site may be used for an additional phase of the project. However, if it is not needed, property owner may want to subdivide off the northern portion of the Lot 2A/3 parcel. Additionally, the applicant plans to make ten percent of the units’ handicap accessible as required and make fifteen percent of the units for non-elderly disable as required.

Because the subject project site is zoning residential, a conditional use ordinance is needed to establish and maintain an elderly housing facility. CCB #11-0676 is the required legislation needed for this project.

Staff’s review of this proposed legislation and project include the following:

- **Site Plan:** The main entrance of the building will face Frederick Avenue and there will be a ramp system for handicap access. A secondary entrance will be on the east side of the building to provide residents and visitors with a close handicap accessible entrance from the parking lot. This project also entails extending the 5 foot wide sidewalk on South Woodington Road to the property line. There will be a fence around the perimeter of the site. The fence in the rear will have a maximum height of 6 feet and the fence on the sides and in the front will have a maximum height of 42 inches. There will be retaining walls on the southeast corner of the property, along Frederick Avenue and South Athol Avenue. Both these walls will have a maximum height of two feet. Vehicular access to the parking lot will be from South Woodington Avenue. A masonry enclosed dumpster and twelve by twelve foot shed will be located in the parking lot. There will be 36 parking spaces provided, including two handicap spaces, and twenty-five are required based on the zoning code requirement of one space per four units. This project was initially reviewed by the SPRC on January 20, 2010 and the plans were finally approved on April 12, 2010.
- **Building Elevations:** The proposed four-story building will have a brick base on the first floor and some brick front façade treatment to define the main entrance. Above this brick base, and the entire rear elevation, will be sheathed in fiber cement siding. The fourth level materials will make a transition from horizontal fiber cement siding to vertical fiber siding with a metal coping at the parapet wall. The roof will be flat. The building elevation drawings were reviewed and approved by the staff architect as part of the Site Plan Review Committee review on April 12, 2010.
- **Forest Conservation /Landscape Plan:** Development is subject to Forest Conservation Requirements and staff has approved the applicant forest conservation and landscape plan as submitted. There will be 93 trees planted on site complimented by additional shrubs and plantings to fulfill their greening requirements.

- Storm Water Management Plan:  
The Greens at Irvington received concept approval on April 19, 2010, under the old stormwater regulations. Although the site plan has been modified slightly since receiving concept approval (resulting in a decrease in impervious), the Department of General Services agreed to allow the concept approval to remain in effect under the old regulations.
- Traffic Impact Study:  
A traffic impact study has been performed by the Department of Transportation. The Intersections in the vicinity of the subject development have been studied previously in several recent traffic studies, including Irvington Knolls, Uplands, and Wyndholme Village. The results from the study concluded that the intersection in close proximity to the subject development operate at a level A or B in both the AM and PM hours of the day. The levels of service range from “A” to “F”, with “A” indicating the best operating conditions and “F” indicating the worst, or a failing, operating condition. The study also suggests that based on the projected number of new vehicle trips and existing intersection level of service, the development does not generate any significant traffic or significantly impact any intersections.
- Project Sustainability:  
The development also triggers the Baltimore Green Building Standards as a multi-family building larger than 3 stories, 10,000 GSF and containing more than 5 units. Similar to the rest of their development projects, the developer at the Greens at Irvington will follow the Enterprise Green Communities Criteria standards for their proposed building. The Enterprise Green Communities Criteria was developed collaboratively by Enterprise and a number of leading national organizations and experts for the purpose of providing a clear, cost-effective framework for all affordable housing developments such as: new construction, rehabilitation in multifamily, as well as single family buildings.
- Findings:  
As per §14-204, conditional use requires findings on considerations of standards prescribed by §14-205. Staff finds that:
  - The establishment of this elderly housing facility at 4300 Frederick Avenue, in terms of location, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare or morals. The operation of an elderly housing facility will not create undue stress on community resources and is consistent with the City Master Plan in providing housing choices for all people.
  - That the proposed use is not in any way precluded by any other law.
  - The authorization of this conditional use is not contrary to the public interest.
  - The authorization is in harmony with the purpose and intent of the conditional use article.

Staff notified the following entities of this action: Irvington Community Association, Saint Joseph Improvement Association, Southwest Development Committee, and the City Council representative.



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