


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 #19-0462/ ZONING – CONDITIONAL USE CONVERSION TO 3 DWELLING UNITS IN THE R-8 ZONING DISTRICT – VARIANCE – 2112 SAINT PAUL STREET		

TO

DATE:

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

December 13, 2019

At its regular meeting of December 12, 2019, the Planning Commission considered City Council Bill #19-0462, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2112 Saint Paul Street (Block 3810, Lot 030), as outlined in red on an accompanying plat; and granting a variance from certain off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #19-0462 and adopted the following resolution, eight members being present (eight in favor):

RESOLVED, That the Planning Commission finds, in accordance with subsections 5-406(a) and 5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public, health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest;
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in subsection 5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #19-0462 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/mf

attachment

cc: Mr. Nicholas Blendy, Mayor's Office
Mr. Matthew Stegman, Mayor's Office
Ms. Nina Themelis, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services
Mr. Dominic McAlily, Council Services
Mr. Kash Akhtar, Applicant



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

December 12, 2019

REQUEST: City Council Bill #19-0462/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 3 Dwelling Units in the R-8 Zoning District – Variances – 2112 Saint Paul Street:

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 3 dwelling units in the R-8 Zoning District on the property known as 2112 Saint Paul Street (Block 3810, Lot 030), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Stokes, at the request of Kash Akhtar for 2112 Saint Paul St. LLC

OWNER: 2112 Saint Paul St. LLC

SITE/GENERAL AREA

Site Conditions: 2112 Saint Paul Street is located on the west side of Saint Paul Street, approximately 120' north of the intersection with 21st Street. This property measures approximately 20' by 120' and is currently improved with a three-story attached residential structure, constructed before 1888, measuring approximately 20' by 58'.

General Area: This property is part of the Old Goucher College National Register Historic District, which grew in the 1880s following establishment of the Lovely Lane Methodist Church one block north of this property in 1883, followed by establishment of the Women's College of Baltimore, which became Goucher College a few years later. This area has predominantly attached housing, although there is a considerable amount of institutional and office use, and some commercial use, mixed in, as many of the former Goucher College buildings were converted to office or commercial uses after 1954. To the north of this area is the 25th Street commercial-office-residential corridor; to the south of this area is the commercial corridor of North Avenue. Much of the area is also in the Charles/ North Urban Renewal Plan area.

HISTORY

The Charles/ North Revitalization Area Urban Renewal Plan was originally approved by Ordinance no. 799 dated October 25, 1982, and was last amended by Amendment no. 7 dated April 30, 2007, approved by Ordinance no. 07-574 dated November 27, 2007. The Old Goucher College Historic District was first certified to the National Register of Historic Places in June of 1974; the enlarged current historic district was certified on September 26, 1994. This block was

rezoned from OR-2 (Office-Residential) to R-8 (Residential) during the comprehensive rezoning mapping process associated with the effective date of the current Zoning Code on June 5, 2017.

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.

ANALYSIS

Background: This legislation would allow the petitioner to use the existing structure as three dwelling units, each a 1-bedroom unit on each floor of the structure. Originally constructed as a single-family dwelling, the premises were approved for use as four dwelling units in 1958, for which a multi-family dwelling license was issued in 1959. In 1994 multi-family use ended when a prior owner returned the use to a single-family dwelling. Approving use as a three-family multi-family dwelling would allow preservation of a piece of the community's historic fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown via public transit for residents of the three dwelling units.

Zoning Analysis: This property is improved with a middle-of-group residential structure containing approximately 3,480 square feet of gross floor area. This bill would encourage re-use (or continuing use) of a structure consistent with its current zoning.

- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC subsection 9-703.d., citing Table 9-401). A lot area of 1,875 square feet is thus required for the proposed use. This lot has 2,400 square feet and thus meets the lot area requirement for conversion.
- The Zoning Code requires, for conversion of a single-family dwelling property in the R-8 District, 750 square feet of gross floor area per 1-bedroom dwelling unit (BCZC subsection 9-703.c.). The existing structure contains approximately 1,160 square feet of gross floor area on each of its three above-grade floor levels.
- The maximum lot coverage allowed is 80% (Zoning Code Table 9-401). This structure covers approximately 48% of the lot. No variance of this requirement is needed.
- Two additional off-street parking spaces are required to serve the two newly-created dwelling units (BCZC subsection 9-703.f.). This property can provide two off-street parking spaces meeting Zoning Code standards for accessibility, as the lot width is 20' and the rear alley is 10' wide, and therefore a variance of this requirement does not need to be included in this bill. However, in order to preserve unpaved space in the rear yard, the petitioner has requested a variance of the off-street parking standard.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – Zoning:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

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

- (2) the use 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.

The establishment, location, and operation of this property as a multi-family dwelling containing three dwelling units would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, and is not in conflict with the Urban Renewal Plan for this area. The proposed authorization would not be contrary to the public interest (in fact, it could advance the public interest by creating housing affordable to moderate-income families). Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

In making the above recommendation, Planning staff reviewed subsection 5-406(b) {"Required considerations"} of Article 32 – *Zoning*, and finds that the proposed use meets these additional criteria for approval of a conditional use:

(b) *Required considerations.*

As a further 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.

Planning staff recommend that the Planning Commission also find that the proposed use as a three-family dwelling would be consistent with other residential use in the area, and that the site is located in a dense, walkable neighborhood served by public transportation.

Notification: The Charles North Community Association has been notified of this action.



Chris Ryer
Director

