


FROM	NAME & TITLE	GARY W. COLE, ACTING DIRECTOR <i>GWC</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR		
	SUBJECT	CITY COUNCIL BILL #08-0258/ PLANNED UNIT DEVELOPMENT- AMENDMENT- BENHURST PARK		

TO

DATE:
January 28, 2009

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

At its regular meeting of January 22, 2009 the Planning Commission considered City Council Bill #08-0258, for the purpose of approving certain amendments to the development plan of the Benhurst Park planned unit development.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #08-0258 and adopted the following resolution, eight members being present and eight in favor.

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #08-0258 be passed by the City Council.

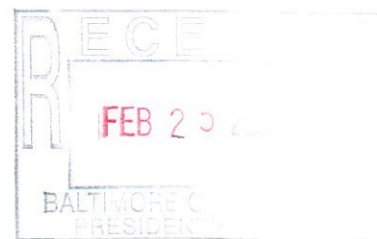
If you have questions, please contact Mr. Wolde Ararsa, Acting Division Chief of Land Use and Urban Design at 410-396-4488.

GWC/ttl

Attachments

cc:

- Mr. Andy Frank, Deputy Mayor
- Mr. Demuane Millard, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable "Rikki" Spector, City Council Commission Representative
- Mr. Geoffrey Veale, Zoning Enforcement
- Mr. David Tanner, BMZA
- Ms. Nikol Nabors-Jackson, DHCD
- Mr. Larry Greene, Council Services
- Ms. Deepa Bhattacharyya, Law Department
- Mr. Robert Rosenfelt, Colbert, Matz, Rosenfelt Engineering



PLANNING COMMISSION

STAFF REPORT

January 22, 2009

REQUESTS:

- City Council Bill #08-0258/ Planned Unit Development-Amendment – Benhurst Park
- Final Subdivision and Development Plan Approval/ 2929 Fallstaff Road – Kol Torah

RECOMMENDATIONS:

- City Council Bill #08-0258/ Planned Unit Development-Amendment – Benhurst Park: Approval.
- Final Subdivision and Development Plan Approval/ 2929 Fallstaff Road – Kol Torah: Approval, subject to comments from DPW.

STAFF: Anthony Cataldo

PETITIONER: Kol Torah of Baltimore

OWNERS: Heather Ridge Condominium Council, Inc.

SITE/GENERAL AREA

Site Conditions: The subject property, known as 2929 Fallstaff Road (Lot #67/68 of Block 4324), is approximately 6.883 acres in size and is zoned R-5. The property is located on the south side of Fallstaff Road, just west of Greenspring Avenue, and adjacent to the Willowbrook Apartments. The property is unimproved with existing mature trees on the lot.

General Area: This property is located in Northwest Baltimore in the Cheswolde neighborhood. This neighborhood is residential in nature, and is represented by a mix of single-family detached dwellings and apartment buildings.

HISTORY

- Ordinance #73-0417, established the Planned Unit Development for Benhurst Road and Clarke's Lane on July 11, 1973.
- Ordinance #78-0690, amended the Benhurst Park Planned Unit Development on April 17, 1978.
- Ordinance #83-1127, amended the Benhurst Park Planned Unit Development on December 5, 1983, and included a subdivision that was approved by the Planning Commission.
- A Final Design Approval for 6301 Benhurst Road and 3023 Temple Gate was approved on April 6, 1989.
- A Final Design Approval for an addition to the house at 6228 Benhurst Road was approved on February 2, 1995

- A Final Design Approval for an addition to 6300 Benhurst Road was approved on May 28, 2002.
- On September 7, 2006, the Planning Commission recommended approval of City Council Bill #06-0470, an amendment to the Development Plan of the Benhurst Park Planned Unit Development.
- On October 5, 2005, the Planning Commission recommended Final Design Approval/Benhurst Park PUD / 6200 Block of Benhurst Avenue (Lot 31/35 of Block 4348) and approval of the Final Subdivision and Development Plan / 6200 Block of Benhurst Avenue (Lot 31/35 of Block 4348).
- Ordinance #06-0470, amended the Benhurst Park Planned Unit Development on January 22, 2007, to permit the development of 5 single-family detached dwellings and a reconfiguration of the storm water management pond, on Parcel B of the Plan.

CONFORMITY TO PLANS

This site does not lie within any recognized urban renewal plan or other formally adopted plan. It fulfills the urban design objectives and conforms to the Comprehensive Master Plan's PLAY section, Goal 3: Increase the Health of Baltimore's Natural Resources and Open Spaces for Recreation and to Improve Water Quality, Objective 2: Protect and Enhance Baltimore's Natural Habitat and Environmental Resources.

ANALYSIS

Kol Torah Synagogue is looking to construct a new building to be its permanent home. The applicant approached the Heather Ridge Condominium Council to inquire about the purchase of some of their HOA land at 2929 Fallstaff Road. The Heather Ridge Condominium council is proposing to subdivide its current HOA property at 2929 Fallstaff Road (6.88 acres) into two parcels. 2.21 acres fronting Fallstaff Road will be sold to Kol Torah Congregation for the development of a one story synagogue and parking lot with 89 spaces that includes 6 handicap accessible parking spaces. As this HOA property is currently undeveloped and in exchange for the development right for this synagogue, the Council has agreed to place the remaining 4.67 acres wooded area, interior of the site, in a Forest Conservation Easement.

City Council Bill #08-0258/ Planned Unit Development-Amendment – Benhurst Park

Staff has reviewed this project and offers the following findings:

- **PUD Compliance:** Because a Synagogue was not envisioned on the site when the original Planned Unit Development plan was created, a major amendment is necessary to approve the additional foot print and site improvements to the Development Plan. The synagogue is an allowed use under the original PUD. CCB #08-0258 is the required legislation needed to amend the Benhurst Park PUD in order to allow the development of the synagogue at this location.

Final Subdivision and Development Plan Approval/ 2929 Fallstaff Road – Kol Torah

Staff has reviewed this project as follows:

- **Site Plan:** On November 5, 2008, the Site Plan Review Committee reviewed and approved the site plan for this project. The site plan shows that the 6.88 acre HOA parcel is to be

subdivided into two lots, 2.21 acres with frontage on Fallstaff Road and used to develop a one story synagogue with 89 parking spaces. The remaining 4.67 acre parcel with no frontage on Fallstaff Road will remain in control of the Council's HOA and will be placed in a Forest Conservation Easement.

- Architectural Elevations: The applicant has submitted preliminary elevations at this time and will have to return to the Planning Commission at a later date to request Final Design Approval. As the current plan shows, the building will be one story with a double height space for the main worship area, and the exterior materials will include concrete block, split faced concrete block, and pre-cast concrete. The building will have windows on all sides.
- Subdivision Plan Requirements: This project complies with the City's rules and regulations relative to land subdivision within Baltimore City. The developable lot has frontage on a public street and will have separate utilities.
- Development Plan Requirements: The project complies with all of the City's Setback, Floor Area Ratio, and Off-Street Parking requirements. The site is not in the Chesapeake Bay Critical Area, nor the 100 year Floodplain. Stormwater management is required and will be addressed by providing water quality swales and an underground sand filter with quantity storage pipes.
- Landscape and Forest Conservation: The applicant has submitted a landscape plan that has been reviewed and preliminarily approved by staff. Applicant will work with staff in refining the landscape plan. The landscape plan shows plantings along the east, south, and west perimeters of the site. There are also plantings in the interior of the site along the perimeter of the buildings and within the parking lot. The development triggered Forest Conservation and the plan has met the requirements and been approved by staff.

The Cheswolde Neighborhood Association, Inc., Comprehensive Housing Assistance, Inc., Willowbrook Apartments, and Pickwick East Apartments have all been notified of these actions.

Staff has received letters of support from the Cheswolde Neighborhood Association, Inc., the Pickwick East Apartments, and the Willowbrook Apartments.



Gary W. Cole
Acting Director