


FROM	NAME & TITLE	faCHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0454 / ZONING - CONDITIONAL USE CONVERSION OF A SINGLE-FAMILY DWELLING UNIT TO 2 DWELLING UNITS IN THE R-8 ZONING DISTRICT - 1022 WEST LANVALE STREET		

DATE:

February 9, 2024

TO

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

At its regular meeting of February 8, 2024, the Planning Commission considered City Council Bill #23-0454, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 2 dwelling units in the R-8 Zoning District on the property known as 1022 West Lanvale Street (Block 0092, Lot 030), as outlined in red on the accompanying plat; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #23-0454 and adopted the following resolutions, with seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #23-0454 be **approved** 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/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office
 The Honorable Eric Costello, Council Rep. to Planning Commission
 Mr. Colin Tarbert, BDC
 Ms. Rebecca Witt, 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. Rashad Henderson, Nickel Blue Investment Group, LLC



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

February 8, 2024

REQUEST: City Council Bill 23-0454 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 1022 West Lanvale Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 1022 West Lanvale Street (Block 0092, Lot 030), as outlined in red on the accompanying plat; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Bullock, at the request of Rashad Henderson o.b.o. Nickel Blue Investment Group LLC

OWNER: Nickel Blue Investment Group LLC

SITE/ GENERAL AREA

Site Conditions: This property is located on the north side of the street, approximately halfway between its intersections with Fremont Avenue and Arlington Avenue. It is currently improved with a three-story attached dwelling measuring approximately 18' by 67' on a lot measuring approximately 18' by 107'. This structure was built in the middle of the 19th Century as a single-family residential property. The site is zoned R-8 and is on the eastern side of the Harlem Park community.

General Area: This is a primarily residential area, with scattered non-residential uses such as religious institutions and small street-corner commercial uses located several blocks in either direction along Arlington Avenue and along Edmondson Avenue which parallels Lanvale Street two blocks to its south. This property is in the Harlem Park II Urban Renewal Plan Area and the Old West Baltimore National Register Historic District.

HISTORY

The Harlem Park II Urban Renewal Plan was adopted by Ordinance no. 419 on July 6, 1960, and was last amended by its Amendment no. 6 made effective by Ordinance no. 10-264 in 2010. The Plan designates Lanvale Street and its surrounding area as residential. The Old West Baltimore Historic District was listed on the National Register of Historic Places on December 23, 2004. The area around this property retained its R-8 zoning during the comprehensive rezoning process associated with adoption of the current Zoning Code which became effective on June 5, 2017.

CONFORMITY TO PLANS

The proposed action may be considered consistent with the Harlem Park II Urban Renewal Plan.

ANALYSIS

Background: This property became part of the public housing inventory of the Housing Authority of Baltimore City (HABC) around 1970. HABC used the first floor of the existing building as a one-bedroom dwelling unit designated for an elderly person or family, with a four-bedroom dwelling unit designated for a large family upstairs of the first unit. In the first decade of the 21st Century HABC abandoned the building, as was the case for most of its Rehabilitated Housing Program dwelling units, because of the disproportionately high cost of maintenance of scattered-site public housing. In 2011, the vacant building was conveyed to the Mayor and City Council. Three years later, the City conveyed the property to an investor, who held it for eight years before “flipping” it to the current owner in 2022. The current owner plans to revise the interior plan used by HABC by separating the “front building” and “back building” portions of the interior, thereby creating two three-level dwelling units that would be “back-to-back”. While the front dwelling unit would have its front entrance on Lanvale Street and an emergency rear exit using the area-way next to the side wall of the “back building”, the rear dwelling unit would have its entrance from the public domain (formerly alley) behind this property.

Zoning Analysis:

- The Zoning Code requires, for a property in the R-8 zoning district, 750 square feet of lot area per dwelling unit (Table 9-401). A lot area of 1,500 square feet is thus required for two dwelling units. As this lot has approximately 1,926 square feet, it meets this requirement.
- The Zoning Administrator has determined that no off-street parking space is required to serve the second dwelling unit. The premises was used by the Housing Authority of Baltimore City from the 1970s until the 2000s as a two-family dwelling, and thus was previously authorized for multi-family use without required off-street parking. As such, the property receives credit for parking space that could have been provided but was not provided. Planning staff note that providing off-street parking is also impossible due to closure of the former alley behind the property in order to enable creation of an “inner block park” pursuant to the Harlem Park II Urban Renewal Plan, leaving this parcel landlocked in the rear.
- Floor plans provided by the owner propose creation of a one-bedroom dwelling unit using all three levels of the “back building” portion of the existing structure, and a four-bedroom dwelling unit using all three levels of the “front building” portion of the structure. A one-bedroom dwelling unit requires 750 square feet of gross floor area; a four-bedroom dwelling unit requires 1,250 square feet of gross floor area. The “back building” can provide approximately 1,200 square feet of gross floor area to satisfy the conversion requirement for the one-bedroom unit. The “front building” contains approximately 2,160 square feet of gross floor area, far exceeding the 1,250 square feet required for a three-bedroom or larger unit.

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

(b) *Limited criteria for denying.*

The Board of Municipal and Zoning Appeals or the City Council, may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Board or Council finds that:

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

Establishment, location, construction, maintenance, and operation of a multi-family dwelling at 1022 West Lanvale Street would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including any Urban Renewal Plan. Use of this property for a multi-family dwelling is not otherwise in any way contrary to the public interest. The authorization would be in harmony with the purpose and intent of the Zoning Code.

Below is the staff's review of §5-406(a) {"Approval standards"} of Article 32 – Zoning:

(a) Evaluation criteria.

As a 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.

Staff finds that the site, including its size and shape, is appropriate for the proposed use. There would be no change to traffic patterns if this use would be authorized. The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy rowhousing but in which some conversions of single-family to multi-family dwellings occurred during the 20th Century. For this reason, it is unlikely that the proposed multi-family use would impair present or future development. There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering. There is adequate accessibility for emergency vehicles, and of light and air to the premises and to other properties in the vicinity. There are adequate utilities, roads, drainage, and other necessary facilities. The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures. Approval of the proposed use as a multi-family dwelling would not affect the existing character of the neighborhood, as noted above. While consistent with provisions of the City's Comprehensive Master Plan, the proposed use is not prevented or limited by any Urban Renewal Plan. Multi-family use would meet all applicable standards and

requirements of the Zoning Code upon granting of variances discussed previously, and would be consistent with the intent and purpose of the Zoning Code.

Equity considerations: This property is located within a part of Baltimore City that has low real estate market values and a proportion of non-whites that is above the City-wide average. The Harlem Park community, as part of the larger West Baltimore area, has suffered from significant net disinvestment, combined with population losses, for several decades. While there would be no apparent or predictable changes to the quality of life in the Harlem Park community that would result from disapproval of this proposed action, there is a predictable, though limited, improvement that could result from completion of renovation and re-use of this property, reinforced by creation of additional housing options for residents. By itself, the proposed action would not change existing patterns of inequity that persist in Baltimore. However, the proposed action should be considered in the context of other actions generating both investment in and re-activation of significant parts of West Baltimore. Two blocks east of this property is the Upton Gateway project, which is renovating 38 vacant row-houses in the 800 blocks of Harlem and Edmondson Avenues, and which already has produced 15 renovated and re-occupied dwellings. Along with such action under the auspices of the Department of Housing and Community Development, this conversion could be part of a new beginning to counteract patterns of inequity. There would be no effect on internal operations of the Department of Planning that would result from approval of the proposed action.

Notification: The Harlem Park Neighborhood Council and Councilman Bullock have been notified of this action.



Chris Ryer
Director