

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #15-0496 / Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – 1301 North Broadway

CITY of
BALTIMORE
MEMO



TO

DATE:

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

March 27, 2015

At its regular meeting of March 26, 2015, the Planning Commission considered City Council Bill #15-0496, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1301 North Broadway, as outlined in red on the 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 amendment and approval of City Council Bill #15-0496, and adopted the following resolution, nine members being present (nine in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #15-0496 be amended and passed by the City Council; and further recommends an additional amendment not proposed in the staff report, to wit: Add to section 2 of the bill a lot coverage variance of 3.0 FAR (floor area ratio) as the existing structure already covers 100% of the lot, in lieu of the maximum 2.0 FAR provided in section 4-1106.a. of the Zoning Code.

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. Kaliop Parthemos, Chief of Staff
Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development
Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development
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
Ms. Sharon Daboin, DHCD
Ms. Barbara Zektick, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Ms. Melissa Krafchik, PABC
Mr. Nate Pretl, AB Associates, for TRF Development Partners



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 26, 2015

REQUEST: City Council Bill #15-0496/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variance – 1301 North Broadway

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1301 North Broadway, as outlined in red on the accompanying plat; and granting a variance from certain off-street parking requirements.

RECOMMENDATION: Amend and Approve

Amendment: Add a lot area variance of 225 square feet, or 15% of the amount of lot area required by section 4-1106.a. of the Zoning Code.

STAFF: Martin French

PETITIONER(S): Councilmember Carl Stokes, at the request of TRF Development Partners

OWNER: East Baltimore Historic II LLC (an affiliate of TRF)

SITE/ GENERAL AREA

1301 North Broadway is located on the northeast corner of the intersection with Preston Street. This property measures approximately 17' by 75' and is currently improved with a three-story semi-detached residential mixed-use building covering the entire lot. This site is zoned R-8 and is located within the Broadway East Urban Renewal Plan area and the Baltimore East/ South Clifton Park National Register Historic District.

General Area: This is a predominantly residential area, with scattered uses such as religious institutions, schools, and small commercial uses. One block north of this property the Amtrak Northeast Corridor Railroad main line crosses over Broadway. Two blocks east of this property is the Gay Street commercial corridor angling northeasterly from Oldtown Mall toward North Avenue. Five blocks south on Broadway is the Johns Hopkins Medical Institutions urban campus. The entire area is part of the East Baltimore Development Initiative (EBDI).

HISTORY

This property is located on the western border (Broadway) of the Broadway East Urban Renewal Area. The Broadway East Urban Renewal Plan was originally approved by the Mayor and City Council by Ordinance no. 156 dated July 6, 1988. The Plan was last amended by its Amendment 4 approved in Ordinance no. 11-534 dated November 22, 2011. Use of this property as a café and a dwelling unit was approved by the Board of Municipal and Zoning Appeals on February 25, 2014 (appeal no. 2013-489).

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; and Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

ANALYSIS

Project: The petitioner has already obtained Board of Municipal and Zoning Appeals approval to place a café and a dwelling unit in the existing structure, but due to provisions of the Zoning Code could not have the BMZA approve two dwelling units in the structure due to its previous partially vacant status; hence, this bill. This legislation would allow the petitioner to renovate the existing structure into two dwelling units, providing a new life for this original building. Adaptive re-use as a two-family dwelling above a neighborhood-oriented small business would allow preservation of part of Baltimore's historic architectural fabric while offering more affordable housing alternatives to persons living within the eastern Baltimore area north of the Johns Hopkins Hospital.

Zoning Analysis: The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §4-1106). A lot area of 1,500 square feet is required for two dwelling units; this lot has 1,275 square feet, so a lot area variance is needed to reduce this requirement. One off-street parking space is required to serve the newly-created dwelling unit. The existing structure occupies the entire lot, so a parking variance is needed in order to waive this requirement. The maximum lot coverage permitted in the R-8 district is 60%. The existing structure covers approximately 100% of the lot, and so is "grand-fathered" for this purpose.

The residential portion of this property, due to extended vacancy of the upper two floors, reverted to single-family dwelling status under the Zoning Code. This bill would encourage re-use of what was a structure in need of extensive restoration.

Variations: §15-101(2) of the Zoning Code provides that variances may be granted as part of an ordinance authorizing a conditional use, by the Mayor and City Council. Staff recommends that the City Council amend this bill to add a lot area variance of 225 square feet, or 15% of the amount required by the Zoning Code. Two-family use of the property will not create any new or increased impacts on the surrounding neighborhood.

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).

The proposed use as a 2-family dwelling would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would complete constructive re-use of a partly-vacant structure that still retains some historic integrity as a contributing structure in one of Baltimore's historic districts.

Community Notification: Staff notified the Biddle Broadway Chester Support Council, Collington Square Non-Profit Corporation, Historic East Baltimore (HEBCAC), New Broadway East Community Association, Oliver Economic Development Corporation, Triangle Community Association, and Councilman Stokes of this matter.



Thomas J. Stosur
Director