


TJA

<b>FROM</b>	<b>NAME &amp; TITLE</b>	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	<b>AGENCY NAME &amp; ADDRESS</b>	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	<b>SUBJECT</b>	CITY COUNCIL BILL #15-0503 / Zoning – Conditional Use Second Hand Store – 2412 East Monument Street		

DATE:

TO

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

May 8, 2015

At its regular meeting of May 7, 2015, the Planning Commission considered City Council Bill #15-0503, for the purpose of permitting, subject to certain conditions the establishment, maintenance, and operation of a second-hand store on the property known as 2412 East Monument Street, 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 #15-0503, and adopted the following resolution, eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #15-0503 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, 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  
 Ms. Tanya Boulware, Applicant



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

May 7, 2015

**REQUEST:** City Council Bill 15-0503/ Zoning – Conditional Use Second-hand Store – 2412 East Monument Street

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a second-hand store on the property known as 2412 East Monument Street, as outlined in red on the accompanying plat.

**RECOMMENDATION:** Approval

**STAFF:** Martin French

**PETITIONER(S):** Councilmember Branch, at the request of The Twins Closet Upscale Thrift and Consignment

**OWNER:** Mulberry Properties LLC

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

**Site Conditions:** This property, located on the north side of Monument Street approximately 80' east of the intersection with Montford Avenue, measures approximately 13' by 70' and is currently improved with a two-story attached commercial and residential building measuring approximately 13' by 40'. The street level of this 1,040 square foot building is currently vacant. The site is zoned B-2-2 and is located in the East Monument Street Business Area of the Middle East Urban Renewal Plan area, and across the street from the Monument-McElderry-Fayette Community Area Master Plan area, where specific planning proposals for the south side of Monument Street's business area are intended to be reinforced by similar activities on the north side of the street which forms the other half of a unified business area.

**General Area:** The property is located in the midst of a long-established commercial strip which runs along both sides of Monument Street, with a few interruptions, from Washington Street eastward to Luzerne Avenue. Typical commercial properties are a mix of late 19<sup>th</sup> Century and early-to-mid 20<sup>th</sup> Century structures. Behind these commercial structures lining Monument Street, residential neighborhoods developed in the late 19<sup>th</sup> and early 20<sup>th</sup> Centuries are made up of single-family attached housing with some other uses such as schools and churches included.

## **HISTORY**

There is no previous legislative history concerning this property only. It is included in the East Monument Street Business Area established in Amendment 4 (dated as revised June 17, 1985) to the Middle East Urban Renewal Plan, which was originally approved by the Mayor and City Council by Ordinance 1202 on November 30, 1979, and most recently amended by Ordinance 05-124 dated October 7, 2005. Planning staff, having reviewed the Plan, find that this property is located in the East Monument Street Business Area of the Middle East Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

## **CONFORMITY TO PLANS**

The proposed action is consistent with the City of Baltimore's Comprehensive Master Plan, LIVE EARN PLAY LEARN, Live Goal 1, Objective 2: Strategically redevelop vacant properties throughout the City, and with the objectives of the Monument-McElderry-Fayette Area Master Plan, specifically: improving the Monument Street retail district to provide a community shopping district with attractiveness and a broad retail mix for residents of the surrounding areas, and increasing opportunities for resident entrepreneurs and minorities to establish businesses. Leaving this store-front vacant would create a blighting influence on immediate surrounding businesses. The previous use of the commercial portion of this property was a beauty salon; the proposed use would add to the diversity of commercial uses in this section of the East Monument Street business district. Department staff considers the proposed use consistent with the purposes of the Plan.

## **ANALYSIS**

In the Zoning Code, §1-186.1 defines "second-hand store" as "a place of business of a person who engages in the business of buying for resale, trade, or transfer used or previously owned property or merchandise, including carvings, clothes, ceramics, furniture, glass, household items, jewelry, paintings, rugs, sculptures, silverware, and other moveable personal property, but excluding motor vehicles, records, tapes, compact discs, and books." The Twins Closet Upscale Thrift and Consignment proposes to use this property for second-hand sales of clothing and related merchandise. City Council Bill 15-0503 is legislation required according to the Zoning Code, §6-309 (12a) which lists second-hand stores as a conditional use for which an ordinance is required in a B-2 District.

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).

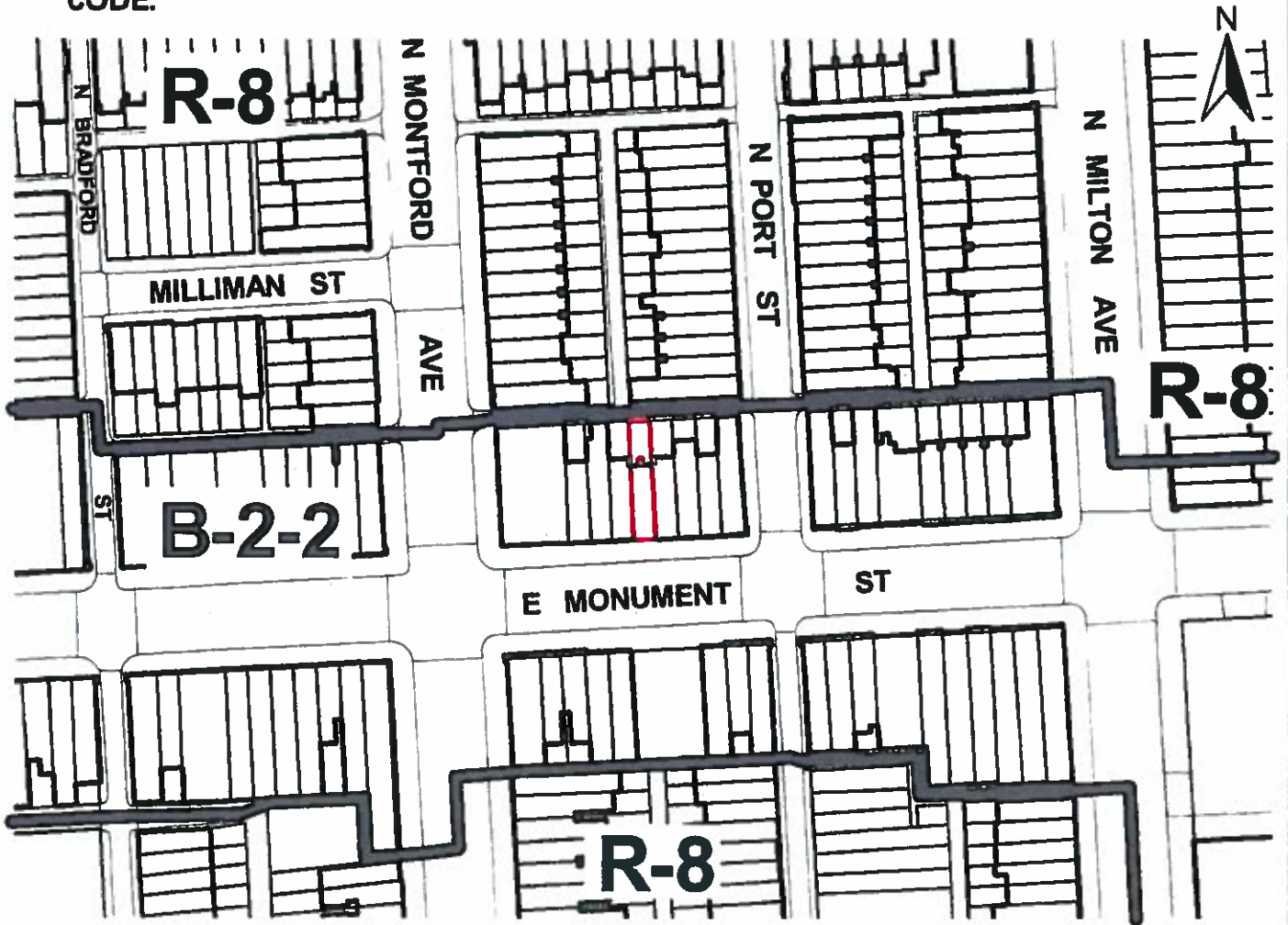
Planning staff, having reviewed the proposed conditional use in relation to these criteria, have determined that the proposed second-hand store at 2412 East Monument Street meets these requirements for approval by ordinance of the Mayor and City Council of Baltimore, and recommends that the Planning Commission find accordingly in favor of this bill.

Staff notified the Amazing McElderry Park Community Development Corporation, Historic East Baltimore Community Action Coalition (HEBCAC), McElderry Park Community Association, Milton-Montford Improvement Association, Monument Street Merchants Association, Southeast Community Development Corporation, Southeast Presidents Council, Mulberry Properties LLC, and Councilmember Branch of this action.

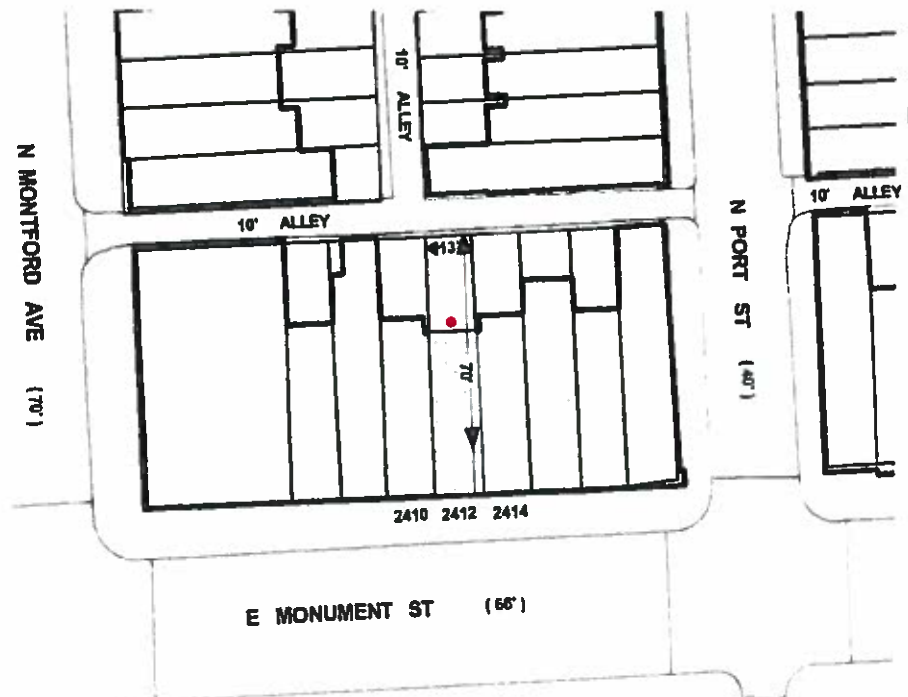
A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a prominent loop at the end.

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

SHEET NO. 47 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE.



1" = 100'



**Note:**  
 In Connection With Property Known As  
 No. 2412 EAST MONUMENT STREET.  
 The Applicant Wishes To Request The  
 Conditional Use Of The Aforementioned  
 Property As A SECOND HAND STORE,  
 As Outlined In Red Above.

WARD - 7 SECTION - 1  
 BLOCK - 1624 LOT - 7

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 MAYOR

\_\_\_\_\_  
 PRESIDENT CITY COUNCIL