



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



*Thomas J. Stosur
Director*

March 23, 2017

REQUEST: Minor Subdivision (Waiver) Final Plans/ 1745-1747 E. Lombard Street

RECOMMENDATION: Approval

STAFF: Matthew DeSantis, AICP

PETITIONER(S): Herbert Burgunder, Esq.

OWNER: Second Century Homes, LLC

SITE/GENERAL AREA

Site Conditions: This project is composed of one parcel, 1745/1747 E. Lombard Street, which is located at the southwest corner of E. Lombard Street and S. Ann Street. The property had been previously been used as a hardware store, but is now vacant. Historically, the property used to be two separate lots. In 1967, both lots came under sole ownership and were subsequently consolidated.

General Area: This property is located in the Upper Fells Point neighborhood and is currently zoned R-8 (and will remain R-8 under Transform Baltimore). The majority of surrounding uses are medium density residential with some community business establishments.

HISTORY

- On January 31, 2017, the applicant was granted BMZA approval via case #2017-00004 to utilize what would be 1745 E. Lombard as a single-family dwelling and 1747 E. Lombard for offices, food store, variety store, or similar permitted uses in the B-1 District on the first floor.

ANALYSIS

Project: This subdivision proposes to reinstate the previously existing lot line between what was 1745 E. Lombard and 1747 E. Lombard. With the properties subdivided, the applicant intends to renovate 1745 (the western lot) into a single-family dwelling and 1747 (the eastern lot) into a mixed-use, with a general commercial/retail on the first floor and apartments on the second and third floors.

In its consideration of the proposal, staff reviewed the following factors:

Subdivision Regulations: The project includes a waiver request to not require plans submittals as listed in the subdivision regulations, and to abbreviate the review process. Prior to the 2011

update of the subdivision regulations, it was possible to resubdivide properties as an administrative action. During the 2011 update, a discrepancy was noted in that process that these were in effect subdivisions that were not being presented to the Planning Commission, and so the subdivision regulations were amended to provide for review of this category of resubdivision. The net result of this correction is that these relatively simple resubdivision applications need to provide plan submittals that require a survey, a circulation for agency review that can take 6-8 weeks, and increased fees for professional services (surveyor and engineer). This may have the effect of discouraging redevelopment, which frequently is located in residential neighborhoods.

The recently adopted revised Rules and Regulations of Land Subdivision, passed by the Planning Commission at the December 22, 2016 hearing, will normalize this type of re-subdivision application so that no waiver is needed. These amended rules become effective March 30, 2017. Since this application was received January 12, 2017, staff was not able to process this request according to the revised Rules and Regulations.

The request will enable the reversion of the western portion of the lot back to a single family dwelling in what is a largely residential neighborhood. The eastern, corner lot will remain a neighborhood commercial use, as it has been for a number of years. For these reasons, staff recommends approval of the waiver, and of the resubdivision.

Zoning Regulations: The property currently is zoned R-8 and will remain so under Transform Baltimore. The BMZA has already granted approval for what will be 1747 E. Lombard to remain a B-1 type commercial use on the ground floor.

Building Code Consideration: The existing internal separations between the proposed lots must be closed if the lots are subdivided. This will be verified through the building permit and inspection process that the applicant will undergo to obtain approval for the proposed uses for the properties.

Community Notification: The Upper Fells Point Improvement Association has been notified of this action.



Thomas J. Stosur
Director