


TJA

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0194/ ZONING – CONDITIONAL USE PARKING LOT – 347-357 NORTH CALVERT STREET AND 352 AND 360 DAVIS STREET		

DATE:

TO

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

March 9, 2018

At its regular meeting of March 8, 2018, the Planning Commission considered City Council Bill #18-0194, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking lot on the properties known as 347-357 North Calvert Street (Block 0584, Lots 004, 005, 007, 008, and 009) and 352 and 360 Davis Street (Block 0584, Lots 016 and 011), as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #18-0194 and adopted the following resolution; nine members being present (nine in favor):

RESOLVED, That the Planning Commission finds, in accordance with §16-304 and §14-204 of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- will not be detrimental to or endanger the public health, security, general welfare, or morals;
- is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- is not otherwise in any way contrary to the public interest;
- is in harmony with the purpose and intent of that article; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City; and further

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #18-0194 be amended and 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.

TJS/ewt
 attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. William H. Cole IV, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Ms. Katelyn McCauley, DOT
Ms. Natawna Austin, Council Services
Mr. Ryan Potter, Esq.



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 8, 2018

REQUEST: City Council Bill #18-0194/ Zoning – Conditional Use Parking Lot – 347-357 North Calvert Street and 352 and 360 Davis Street:

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking lot on the properties known as 347-357 North Calvert Street (Block 0584, Lots 004, 005, 007, 008, and 009) and 352 and 360 Davis Street (Block 0584, Lots 016 and 011), as outlined in red on the accompanying plat.

RECOMMENDATION: Amendment and approval, with the following amendment:

- That the site plan and landscaping plans approved by the Department of Planning are attached to, and made part of the legislation.

STAFF: Eric Tiso

PETITIONER: Mercy Medical Center, Inc. c/o Ryan Potter, Esq.

OWNER: Mercy Medical Center, Inc.

SITE/GENERAL AREA

Site Conditions: This group of properties is located on the east side of North Calvert Street, approximately 31' south of the intersection with Bath Street and the elevated Orleans Street. Two unimproved lots fronting on Davis Street to the rear are included in this group. The developed parcels on North Calvert Street are currently improved with three-story buildings that cover nearly all of their respective parcels that are zoned C-5-DC. They are located between the Mary Catherine Bunting Center to the west, and the Mercy garage to the east. This site is located within the regulated floodplain.

General Area: This site is located in the Downtown area, which includes governmental, commercial, residential, and institutional buildings of significant size and density mixed with older buildings of lower scale. It is bordered on the north by Orleans Street, I-83 (President Street) on the east, East Lombard Street to the south, and North Paca Street on the west.

HISTORY

- This site is located within the Central Business District Urban Renewal Plan (URP) area, which was established by Ord. #01-170, dated May 25, 2001. The URP was amended by Ord. #06-348, dated July 10, 2006 (Amendment #1).

ANALYSIS

Project: Mercy Medical Center has acquired these parcels, and will demolish them in order to consolidate them and build a temporary valet parking lot with 48 parking spaces. Access to the parking lot will be from Davis Street. This project will allow for the productive use and maintenance of these lots, until a future hospital building can be built on it. The site will be fenced with black decorative metal fencing. The proposed landscape plan provides for screening on the west and north, to include shrubs between major trees outside of the fence. A sunset provision has been built into the bill that will allow the parking lot to remain for four years from the date of enactment, with the potential for a two-year extension.

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

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

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

For these approval standards, staff finds that:

- (1) the establishment of a temporary parking lot in this location will not be detrimental to the public. These buildings are currently in disrepair, and it is not economically feasible to rehabilitate them. The parking lot will remove a potential hazard in allowing for the demolition of the existing buildings, and construction of a parking lot, with the promise of future hospital development on this site.
- (2) This use is not precluded by any law, to include the Central Business URP, which only required that a building permit be filed prior to a demolition permit being issued. The construction permit for this parking lot satisfies that requirement.
- (3) We believe that this proposed temporary development will be a benefit to the immediate area, and will allow for more significant hospital development in the near future. This more productive use of the land will improve this block.
- (4) The proposed plan will meet the requirements of the zoning code, the Central Business URP, Site Plan Review, and requirements of the regulated floodplain.

Below is the staff's review of §5-406(b) {"Required considerations"} of Article 32 – *Zoning*:
Staff finds that:

- (1) The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of proposed development is reasonable, with an included sunset date that will encourage future development.
- (2) The downtown area is well served by a transportation network, that the transportation patterns will not be disrupted, and that this temporary parking lot will provide off-street parking that will serve the immediately adjacent hospital

- (3) The nature of this site and surrounding area and this proposed temporary parking lot will not impair present or future development on this site, or in the immediate area.
- (4) The proposed development will not negatively impact dwellings, churches, schools, public structures, or other places of public gathering.
- (5) The properties are accessible by fire and emergency vehicles.
- (6) The proposed temporary parking lot will not impact the accessibility to light and air by the premises or by property in the vicinity.
- (7) The properties are sufficiently served by existing utilities, access by roads, drainage, and other necessary facilities that have been or will be provided.
- (8) The properties do not have any registered or designated historic landmarks or structures.
- (9) The proposed development will not negatively impact the character of the neighborhood.
- (10) The proposed development will not negatively impact any provisions of the City's Comprehensive Master Plan.
- (11) The proposed development will not negatively impact any provisions of the Central Business District Urban Renewal Plan (URP).
- (12) The proposed development will meet all applicable standards and requirements of the Zoning code.
- (13) The proposed development satisfies the intent and purpose of the Zoning code.
- (14) That this proposal is in the interest of the general welfare, in that it allows for the removal of buildings that are deteriorating, it will allow for a productive interim use, while awaiting more significant future development.

Notification: The Downtown Partnership of Baltimore and the Baltimore Development Corporation have been notified of this action.



Thomas J. Stosur
Director