

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>TJS</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0257/ ZONING – CONDITIONAL USE CONVERSION – VARIANCES – 310 EAST LANVALE STREET		

TO

DATE:

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

August 8, 2018

At its regular meeting of August 2, 2018, the Planning Commission considered City Council Bill #18-0257, for the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050); and granting variances from certain bulk and yard and off-street parking requirements.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0257 with amendments. The Commission voted in favor of only one amendment, which is to include variances for gross floor areas for the two-bedroom apartments. The Commission adopted the following resolution, 9 members being present (9 in favor):

RESOLVED, That the Planning Commission finds, in accordance with §5-406(a) and §5-406(b) of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- would not be detrimental to or endanger the public health, safety, or welfare;
- would not be precluded by any other law, including an applicable Urban Renewal Plan;
- would not be contrary to the public interest; and
- would be in harmony with the purpose and intent of this Code; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City, as described in the Departmental staff report; and further

RESOLVED, That the Planning Commission finds that because of its particular surroundings, a practical difficulty would result if the strict letter of the applicable Zoning Code requirements would be carried out; and therefore recommends that City Council Bill #18-0257 be amended and passed by the City Council.

If you have any questions, please contact Mrs. Christina Hartsfield in the Land Use and Urban Design Division at 410-396-1651.

TJS/ch
 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. 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. Ervin Bishop, Council Services
Mr. Nate Pretl, AB Associates (owner's representative)



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Thomas J. Stosur
Director

August 2, 2018

REQUEST: City Council Bill # 18-0257 / Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units in the R-8 Zoning District - Variances - 310 East Lanvale Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 4 dwelling units in the R-8 Zoning District on the property known as 310 East Lanvale Street (Block 1103, Lot 050); and granting variances from certain bulk and yard and off-street parking requirements.

RECOMMENDATION: Approval, with Amendments

STAFF: Christina Hartsfield

PETITIONERS: Councilmember Stokes and President Young, at the request of Station Arts Apartments, LLC, c/o AB Associates

OWNER: Station Arts Apartments, LLC

SITE/GENERAL AREA

Site Conditions: The property known as 310 East Lanvale Street is located at the northeast corner of the intersection of Latrobe Street and Lanvale Street. This property measures approximately 17' by 88' and is currently improved with a three-story attached residential building measuring approximately 17' by 64'. This site is zoned R-8.

General Area: This residential property is located in the Greenmount West neighborhood in the North Planning District. It is surrounded by other rowhouse structures of similar scale. The applicant has redeveloped many properties on this block as a part of the Station Arts Homes project.

HISTORY

There are no previous Planning Commission actions for this property.

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.

ANALYSIS

This legislation would allow the conversion of the subject property from a single-family dwelling to a multi-family dwelling, containing four dwelling units. The existing structure is three stories tall with a basement and has a gross square footage of 2,680 SF (basement excluded). The proposal is for three two-bedroom dwelling units, one on each floor, and a one-bedroom unit in the basement. A third-floor rear addition is proposed, however there will be no expansion of the structure beyond its existing footprint. All of the units will have primary access from the front of the structure except for the basement unit. This unit is mostly below grade and will have walk-up access from the rear. Two parking spaces are proposed in the rear yard.

Zoning:

- **Lot Area:** Per Table 9-401 of the Zoning Code, 750 SF of lot area per dwelling unit is required for a multi-family dwelling. For the conversion of the subject property to four dwelling units, a lot area of 3,000 SF is required. At 1,496 SF, this property is less than half of the required size and thus does not meet this requirement of the Code. For this reason, a 50% variance or reduction of 1504 SF of the lot area is included in the legislation.

Staff finds that this degree of variance and resulting density would be excessive for this site, especially considering that the basement unit would be mostly below grade.

However, for the productive reuse of this property and to increase housing diversity in the neighborhood, staff finds it reasonable for this bill to grant a 25% variance or 750 SF reduction of the lot area to permit 3 dwelling units, one on each level.

- **Off-street Parking:** Four off-street parking spaces are required for the proposed use. The property provides only two off-street parking spaces. A 50% variance or reduction of two parking spaces is therefore requested, and has been included in this legislation.

Since the property cannot physically accommodate additional parking on this site, staff supports the variance request. However, staff recommends the reduction in density to reduce parking demand of this property.

- **Gross Floor Area:** One-bedroom units must provide 750 SF GFA and two-bedroom units must provide 1,000 SF GFA. The proposed two-bedroom units range from 750 – 900 SF, which do not meet the minimum GFA requirement. The one-bedroom basement unit meets the requirement with 850 SF.

Staff recommends that the following variance of GFA be included in the legislation.

- 1st Floor, 2-bedroom unit: A reduction of 250 SF or 25% variance
- 2nd Floor, 2-bedroom unit: A reduction of 150 SF or 15% variance
- 3rd Floor, 2-bedroom unit: A reduction of 100 SF or 10% variance

Staff finds that the two-bedroom configuration of these units are suitable for the rental market and adds housing diversity to the neighborhood without comprising general health, safety or welfare of the residents.

- **Rear Yard Setback:** 20' are required (Table 9-401). 24' are provided.
- **Maximum Lot Coverage:** 80% lot coverage is the maximum (Table 9-401). This site's coverage is 73%.

Conditional Use – Required findings: In accordance with §5-406 of Article 32 (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 5 {"Applications and Authorizations"}, subtitle 4 {"Conditional Uses"} of the Zoning Code:

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 in harmony with the purpose and intent of this article (§5-406).

Upon review of these criteria, staff finds that the proposed conditional use conversion will not endanger public health, safety or welfare and that the redevelopment of this vacant property is aligned with the public interest. Conversion of this property will not be precluded by any other law; however, the proposed density is not in harmony with the lot area and parking standards of the Code. To remedy this, staff recommends reducing the density from four to three dwelling units.

In review of the "*Required Considerations*" (§5-406 (b)), staff finds that:

1. The nature of the proposed site, including its size and shape, is inadequate for the 4 dwelling units and therefore recommends amending the bill to reduce the density;
2. The conversion will cause no negative impact to traffic patterns in the immediate area;
3. The conversion will not impair the present and future development of this lot or the surrounding area;
4. There will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
5. There is adequate accessibility of the premises to emergency vehicles;
6. There is adequate light and air to the premises and to properties in the vicinity;
7. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
8. The conditional use would not interfere with preservation of cultural and historic landmarks and structures;
9. The conditional use would not alter the character of the neighborhood;
10. The conditional use is consistent with provisions of the City's Comprehensive Master Plan and is not governed by any Urban Renewal Plan; and

The applicable standards, requirements, intent, and purpose of the Zoning Code have also been considered and are reflected in staff's recommendation.

RECOMMENDED AMENDMENTS

1. Due to the large degree of lot area variance required to accommodate four dwelling units, Planning staff recommends that City Council Bill #18-0257 be amended to authorize a conversion of the subject property to three dwelling units instead of four. It is customary for larger three-story rowhouses to convert to a multi-family structure with a unit on each floor above grade. The basement is often reserved for amenities such as a laundry room and storage. The applicant proposes a basement unit, which adds an excessive amount of density to the property, unlike many of the other properties that have been redeveloped in the neighborhood. By reducing the proposed density, this redevelopment can still meet the comprehensive goal of reducing vacancy and adding housing diversity to the neighborhood, but be more aligned to the regulatory intent of Code.
2. Staff recommends including the variances of GFA as detailed above.

COMMUNITY INPUT

The Greenmount West Community Association was notified of the Planning Commission action and submitted a letter of support. The letter mentions that a dense rental development was not the desired outcome but that they are supportive of the redevelopment to deter crime.



Thomas J. Stosur
Director