Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

November 21, 2013

REQUEST: City Council Bill #13-0285/ Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – Variances – 1601 West Pratt Street

For the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 1601 West Pratt Street, as outlined in red on the accompanying plat; and granting variances from certain lot size and certain off-street parking requirements.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONER(S): Councilmember William "Pete" Welch, at the request of Urban Phoenix Holdings Corporation

OWNER: Urban Phoenix Holdings Corporation

SITE/ GENERAL AREA

Site Conditions: This property is located on the southern edge of the Union Square Historic District. 1601 West Pratt Street is approximately 16' by 80' (Block 262, Lot #1), is currently improved with a semi-detached dwelling measuring approximately 16' by 55', and is approximately 79' west of the intersection with Gilmor Street. The site is zoned R-8.

General Area: This is a predominantly residential area, with scattered uses such as religious institutions, schools, and small warehouses or commercial uses. One block to the north lie the fully restored rows of houses surrounding the historic Union Square gazebo and park. Six blocks to the east is the B & O Railroad Roundhouse and Museum, and six blocks to the south is Carroll Park, a major Baltimore City recreation amenity.

HISTORY

This property is located in the Union Square Historic District established by Ordinance 821 on June 2, 1970 and expanded by Ordinance 580 on November 17, 1977. The Union Square Historic District was certified to the National Register of Historic Places on September 15, 1983.

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 structure covers most of the lot on which it sits. This legislation would permit the petitioner to renovate the existing structure into two dwelling units, providing a new life for this original building. This adaptive re-use as a two-family dwelling would allow preservation of part of Baltimore's historic architectural fabric while offering more affordable housing alternatives to persons living within the Southwest Baltimore area.

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). Thus, a lot area of 1,500 square feet is required for two dwelling units. As this lot has 1,280 square feet, a variance for 220 square feet of lot area would be required. One off-street parking space is required to serve the newly-created dwelling unit. Since the existing house occupies most of the lot area in the rear, and since the property is bordered on its east and south by narrow alleys 4' wide, 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 66% of the lot, but a lot coverage variance would not be needed as the petitioner does not intend to enlarge the structure.

This property was previously authorized for use as a tavern and a single-family dwelling in 1963, but due to extended vacancy has reverted to single-family dwelling status under the Zoning Code. This bill would encourage re-use of what has become a blighting structure.

Variances: §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 approves the following variances:

1. Lot area: The variance of 220 square feet is a minimum amount to allow this parcel to be used for two dwelling units when it is otherwise substantially in compliance with the intent of this requirement.
2. Parking: While one parking space is needed for the new dwelling unit, it cannot be provided, due to the historic pattern of development of this community. Two-family use of the property will not create any new or increased impacts on the surrounding neighborhood.

These variances are included in the bill currently.

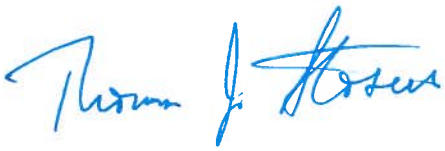
3. Variance Standards: Staff considers the variances sought for this proposal as meeting the criteria for granting variances under §15-214 of the Zoning Code, as they are the minimum necessary to provide relief from arbitrary application of the law, and to provide reasonable use of the property. For these reasons, the Department of Planning supports the variances requested.

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, and would enable constructive re-use of a vacant structure that still retains some historic integrity as a contributing structure in one of Baltimore's most important historic districts.

Community Notification: Staff notified Citizens of Pigtown, Communities Organized to Improve Life (COIL), New Southwest Mount Clare Association, Operation Reach Out Southwest (OROSW), and the Union Square Association of this matter.



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