



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

November 7, 2013

REQUEST: City Council Bill #13-0272/ Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 23-Family Dwelling Unit in the R-7 Zoning District – 1209 North Rose Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 23-family dwelling unit in the R-7 Zoning District on the property known as 1209 North Rose Street, as outlined in red on the accompanying plat; and granting variances from certain lot area size, yard, floor area ratio, and certain off-street parking requirements.

RECOMMENDATION: Approval.

STAFF: Anthony Cataldo

PETITIONER: Family Recovery Program, Inc.

OWNER: 1209 Rose, LLC.

SITE/ GENERAL AREA

Site Conditions: This site is located at 1209 N. Rose Street (Block 1538, Lot 37); on the east side of North Rose Street with East Biddle Street to the south and East Preston Street to the north. The site is bounded by a 10' alley to the south and a 10' alley to the east. The site area is 15,678 square feet and it is improved with an existing former school building. The site is zoned R-7.

General Area: Located within the Berea Neighborhood, this is a predominantly residential area with scattered religious institutions and schools. A few blocks to the west lies the major renewal project known as EBDI.

HISTORY

There is no recent history concerning legislative actions pertaining to 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; and Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

ANALYSIS

Project: The proposal is to do interior renovation to fit-out the building into 23 multi-family units with family support services on the basement level. Two of the units will be Uniform Federal Accessibility Standards (UFAS) compliant. Exterior improvements are limited to grading and re-stripping the parking lot, adding a new playground area, a new dumpster pad, a new ADA accessible ramp, and replacing existing fencing. Additional landscaping and street trees are also proposed with the renovation of the existing structure. The conversion of the vacant building to multi-family dwelling units in the R-7 district requires a City Council Ordinance per section 3-305 of the Baltimore City Zoning Code.

Zoning Analysis: In the context of the Zoning Code requirements for a property in the R-7 District, 1100 square feet of lot area is required per dwelling unit (BCZC §4-1006). Twenty three off-street parking spaces are required to serve the 23 newly created dwelling units. Since the existing school building occupies the majority of the lot and is located between adjacent existing structures, a parking variance is needed in order to waive a portion of this requirement and retain the existing structure (BCZC §10-405). The site plan proposes the access to the proposed parking spaces to be off the existing 10' alley. A variance is proposed to allow access from the existing alley because it is less than 15' (BCZC §10-306(a) (2)). The maximum lot coverage permitted in the R-7 district is per the Floor Area Ratio (F.A.R.) The existing F.A.R. is 1.2 but the existing building provides an F.A.R. of 1.9, therefore a variance is proposed to increase the F.A.R. to meet what is currently built on site and bring the lot coverage into conformance with what is existing (BCZC §4-1008). A reduction of the required front yard from 20' to 2' and the interior side yard from 15' to 0' to accommodate the existing structure on site is also proposed in the Bill (BCZC §4-1007).

Variations: §15-101(2) of the Zoning Code provides that variations 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 variations within the Bill:

1. **Lot area variance:** The existing site area is 15,678 Square feet and the proposed 23 units' results in the need for a 62% reduction in the minimum lot area. The proposed units are fully contained within the existing structure and require no additions to the building. An existing, vacant school building is an excellent candidate for full renovation into dwelling units and the conversion helps maintain the unique city fabric of Baltimore's diverse neighborhoods.
2. **Parking:** While the full twenty three parking spaces needed for the 23 new dwelling units are not provided, this proposal for seven parking spaces (including one handicap) and 10 bicycle parking spaces are the result of the most functional site plan which retains the existing structure. Previously developed programs by this same owner have

resulted in very few occupants having personal automobiles as most rely on public transportation. The parking on site generally serves for the staff of the facility and support services (there are 5 full time staff during the day and 3 staff members covering the evening/night shifts) .

3. Lot Coverage and Setbacks: Practically speaking, the variance needed for lot coverage and setbacks are only created by technical application of the regulations because of the existing school structure. Since no reconfiguration of the buildings is proposed, there will be no impact to the surrounding neighborhood because the buildings currently exist and will continue in their current configuration. For this reason, a technical approval of a variance of an F.A.R. of 1.9 in lieu of 1.2 of lot coverage and a front yard setback of 2' in lieu of 20' and an interior side yard setback of 0' in lieu of 15' is reasonable.
4. Variance Standards: Staff believes that the variances sought for this proposal meet 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.

Community Notification: Staff notified the Kenwood Neighborhood Community Association, New Broadway East Community Association, Kenwood Neighbor Association and Our Neighbor Coalition, Historic East Baltimore Community Action Coalition, Inc., Collington Square, and Councilmen Branch of this action.



Thomas J. Stosur
Director