



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

September 15, 2016

REQUEST: Minor Subdivision (Waiver) Final Plans/ 4801 Belair Road

RECOMMENDATION: Approval

STAFF: Matthew DeSantis, AICP

PETITIONER(S): Harley and Grayson, LLC c/o Sean B. Klein, Esq.

OWNER: Quality Real Estate Investments, LLC

SITE/GENERAL AREA

Site Conditions: This project is composed of one parcel, 4801 Belair Road, which is located at the eastern corner of Belair Road and Southern Avenue. The property currently is partially improved with a combination of one and two-story commercial buildings, an auto repair facility, automobile garages, and a surface storage lot.

General Area: This property is located along the Belair Road commercial corridor in the Frankford neighborhood. Neighboring properties along Belair Road are also auto-oriented commercial businesses while nearby properties to the rear (i.e. southeastern) of the property are low-density residential.

HISTORY

- There is no previous legislative history for this property.

ANALYSIS

Project: This subdivision proposes to reinstate previously existing lot lines. The applicant is desirous of reinstating these lot lines as they are in the process of disposing this property through an estate sale. For reasons unclear to Staff, the property was consolidated in 2014 shortly before the death of the previous owner. 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.

Staff believes that this is a reasonable request, and so this is also being considered as part of the current update of the subdivision regulations. A more reasonable future path to consider would be a middle-ground option that would involve a reduced agency circulation involving the Department of Planning, the Zoning Administrator's office, and the Property Locations Division within the Department of Transportation. That proposed change would in effect strike a balance between too much and not enough process. For these reasons, staff recommends approval of the waiver, and of the resubdivision.

Zoning Regulations: The property currently straddles B-3-2, B-2-2, and R-4 Zoning Districts, the limits of which correspond exactly to the proposed resubdivision lines. As such, the approval of this subdivision would be much more conducive to the utilization of the land than the current condition, since one property with portions in three different zoning districts is a very challenging situation in regards to land use and design.

Community Notification: The Frankford Improvement Association and HARBEL Community Organization have been notified of this action.



Thomas J. Stosur
Director