


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 6349 Boston Street		

TO

Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: January 6, 2011

REQUEST

The Department of Planning has received The Michaels Development Company's Board of Municipal and Zoning Appeals (BMZA) application to subdivide the property into 3 public rights-of-ways and 4 blocks containing 11 developable lots; to construct 150 dwelling units including 143 multiple-family units and 7 single-family attached units and an accessory leasing office; and to reduce minimum lot areas required for dwelling units and to reduce required setbacks by variously reducing required yards. We understand that this appeal is scheduled for hearing on January 10, 2012.

SITE

6349 Boston Street is located on the southeast corner of the intersection with Gusryan Street. This property measures approximately 715' along Boston Street by 558'9" along Gusryan Street and contains approximately 9.424 acres and is currently unimproved. This site is zoned R-5 and is located within the O'Donnell Heights Phase I redevelopment area and the Southeast Neighborhoods Development (SEND) Strategic Neighborhood Action Plan area.

ANALYSIS

Conditional Use: In this zoning district, multiple-family detached dwellings are a conditional use, requiring approval by the Board (§4-803), while single-family attached dwellings are a permitted use (§4-801). The 7 single-family attached dwellings would be built as two groups to remain within the Zoning Code limit of 6 single-family attached dwellings in a row or group. The proposed 143 multiple-family dwelling units would be built in groups; the plan filed with the Zoning application indicated a group of 39 units on a new lot 1; 36 units on a new lot 2; 39 units on a new lot 3; and 29 units on a new lot 4. Revisions to that original concept plan have increased the number of redevelopment lots to five, due to changes in planned location of new streets, parking areas, and the access routes connecting them. These multiple-family dwellings would be rental units for which the accessory management and maintenance office would be located in one of the multiple-family buildings.

Comprehensive Planning: These properties are included in the first phase of the O'Donnell Heights redevelopment project being undertaken by the Housing Authority of Baltimore City ("HABC") and its development partner, The Michaels Development Company. The project will spur the revitalization of the O'Donnell Heights neighborhood and the SEND Plan area through eventual construction of over 900 units of mixed-income housing and mixed-tenure dwellings. Future redevelopment of the remainder of the original 62-acre O'Donnell Heights site may be within the context of a Planned Unit Development to be adopted at a later date.

Land Use and Urban Design: This proposed development has been extensively reviewed by the Urban Design and Architectural Review Panel (UDARP) and the Site Plan Review Committee (SPRC), and the development planning team has made numerous revisions to its original site redevelopment plan in accordance with recommendations from UDARP and SPRC. The UDARP approved the site plan and project architecture subject to comments, on December 8, 2011. The SPRC approved the site plan subject to the development team resolving issues related to stormwater management, trash pick-up, forest conservation, Fire Department access, and access by future residents to certain streets within the redevelopment area, on September 14, 2011. The 12 recorded lots proposed to be created on the five development lots given preliminary concept approval by the SPRC will require approval by the Planning Commission.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 2,500 square feet of lot area per dwelling unit (§4-807.c). In this case, for 151 dwelling units, 376,250 square feet of lot area is required. The proposed building lots (after subtraction of lot area of the original property for public streets) only provide 1,875 square feet of lot area per dwelling unit, and so do not meet this requirement.

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than: (1) 25% of the applicable regulation (§15-202). In this case, the proposed amount of variance would be 25%. The variance requested is within the discretionary range of the Board and so may be allowed.

Off-Street Parking: ... if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title (§10-202.a). In this zoning district, multiple-family attached dwellings and single-family dwellings each require one off-street parking space per dwelling unit (§10-405.1.iv). For 151 dwelling units, 151 parking spaces are required; 159 are proposed to be provided according to the site plan approved in September – December 2011.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, conditional upon approval of the proposed subdivision of the property by the Planning Commission and upon construction of the approved dwelling units and related improvements, including landscaping, in accordance with plans and designs approved by UDARP and SPRC.

TJS/wya/mf

cc: The Michaels Development Company, Appellant