

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 / 1931-1945 Frederick Avenue		

TO

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

DATE: December 30, 2015

REQUEST

The Department of Planning has received Muhammad Khan's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Ar-Rahim Holdings LLC, to retain an existing automobile repair garage and convert the remainder of the premises to eight efficiency units. The Zoning Administrator has determined that this is a conditional use conversion in a B-3 zoning district, and that a variance of off-street parking requirements is needed for approval. We understand that this appeal is scheduled for hearing on January 12, 2016.

SITE

1931-1945 Frederick Avenue is located on the east side of the intersection with Lombard and Payson Streets. This nearly triangular property measures approximately 181' along the south side of Frederick Avenue by 73' along Goldsmith Street (its eastern boundary) and contains approximately 0.164 acre, and is currently improved with a one-story building covering the eastern and central portions of the consolidated lot. This site is zoned B-3-2 and is located within the Operation Reach Out Southwest (OROSW) Plan area.

ANALYSIS

Use: In this zoning district, dwellings are listed as a permitted use, and so are allowed (§6-406). In this case, the property was last authorized for use for a car wash, which is a conditional use, and motor vehicle sales, which is a permitted use, in this B-3 Community Commercial District.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1).

Lot Area: In this zoning district, multiple-family dwellings require 750 square feet of lot area per efficiency unit (§6-411.c.). In this case, for eight efficiency units, 6,000 square feet of lot area is required. The lot encloses 7,140 square feet, and so does meet this requirement.

Off-Street Parking: ... whenever the existing use of a structure is changed to a new use, off-street parking facilities must be provided, as required by this title, for that new use (§10-203.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). In this zoning district, multiple-family dwellings require one off-street parking space per 4 efficiency units (§10-405.1.iv). For eight efficiency units, two parking spaces are required; two can be provided if there is an approved curb cut on either Frederick Avenue or Lombard Street, and no other use of the open space.

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Land Use and Urban Design: The applicant should be required to prepare a single dimensioned site plan which clearly establishes which portions of the property would be used for which of the two proposed uses (this one, 8 efficiency units, and the other, a car wash and automobile repair garage) and how each of the proposed uses would meet applicable off-street parking requirements of the Zoning Code on the western end of this property.

TransForm Baltimore: This property would become part of the I-MU (Industrial Mixed-Use) District (Proposed Zoning Map Area 6-C) in which multi-family dwellings and motor vehicle service and repair would be permitted uses (Table 11-301).

RECOMMENDATION

The Department of Planning has no objection to this appeal, but has concerns about the appropriateness of the existing structure for the proposed shared uses, and about provision of off-street parking on this property. For these reasons, a site plan for this property should be approved by the Planning Department.

TJS/wya/mf

cc: Muhammad Khan, Appellant