


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 / 1-3 East Lexington Street, 115 North Charles Street, and 5 East Lexington Street		

TO

DATE:

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

January 22, 2015

REQUEST

The Department of Planning has received Nate Pretl's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Central Savings Bank Properties LLC, to consolidate lots and use the combined premises as 25 dwelling units and retail space. The Zoning Administrator has determined that this would require a variance of off-street parking requirements. We understand that this appeal is scheduled for hearing on January 27, 2015.

SITE

1-3 East Lexington Street is located on the southeast corner of the intersection with Charles Street. This property measures approximately 63'7" by 75'1" and is currently improved with a five-story (plus mezzanine) historic bank building covering the entire lot. 5 East Lexington Street is located on the south side of the street, approximately 63'7" east of the intersection with Charles Street. This property measures approximately 27'7" by 91'11" and is currently improved with a four-story historic commercial building known as the Joseph Schloss & Sons Building, covering the entire lot. 115 North Charles Street is located on the east side of the street, approximately 75'1" south of the intersection with Lexington Street. This property measures approximately 23' by 63'5" and is currently improved with a four-story historic commercial building covering the entire lot. This site is zoned B-4-2 and is located within the Central Business District Urban Renewal Plan area and the Business and Government Center National Register Historic District.

ANALYSIS

Use: In this zoning district, multiple-family dwellings and numerous retail uses are permitted uses, and so are allowed (§6-506). In this case, the property was last authorized for use as a bank, furniture store, musical instruments store, and offices, which are permitted uses in this B-4 Central Business District.

Urban Renewal Plan: This property is located in the Central Business District Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. The Plan does establish Property Rehabilitation Standards to which the applicant should refer in planning work following the Board's decision on this application.

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 dwelling units (§10-405.1.iv). For 25 dwelling units, six parking spaces are required; none are or can be provided.

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Off-Street Parking Variance: ... the Board may grant a variance to reduce by no more than 75% the number of off-street parking spaces otherwise required by the applicable regulation (§15-208.b). In this case the reduction proposed is 100%, which is greater than the variable amount the Board ordinarily may authorize. However, due to the historic development pattern of this downtown central business area, there are neither vacant areas available for use for off-street parking nor alleys to offer adequate vehicular access to such areas if they existed. There is thus a practical difficulty in meeting this off-street parking requirement.

Land Use and Urban Design: The proposed redevelopment as dwellings and retail space will require review of the plans by the Site Plan Review Committee. The applicant is encouraged to contact the Land Use and Urban Design Division of the Department of Planning concerning this.

Historic District: These properties are located in a designated historic district, and so are eligible for historic tax credits for restoration and renovation. 1-3 East Lexington Street and 5 East Lexington Street are identified in the Central Business District Urban Renewal Plan as Notable Properties. The property to be consolidated has already been pre-certified for the historic property tax credit. The appellant is encouraged to remain in contact with the Baltimore Commission for Historical and Architectural Preservation.

TransForm Baltimore: This property would become part of the C-5-TO (Traditional Office) District (Proposed Zoning Map Area 14-A) in which multi-family dwellings would be permitted uses (Table 10-301). The C-5 Districts would be exempt from off-street parking requirements (§10-503 (I)).

RECOMMENDATION

The Department of Planning recommends approval of this appeal subject to the condition that the redevelopment of this property is consistent with the standards and requirements of the Central Business District Urban Renewal Plan.

TJS/wya/mf

cc: Nate Pretl, Appellant