


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / East side of North Calvert Street 47' South of East Federal Street (to be known as 1525 N. Calvert Street)		

TO

DATE:

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

August 11, 2014

**REQUEST**

The Department of Planning has received Stephen Levinson's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Calvert Federal LLC, to construct a four-story office building with a three-level parking garage in its basement. The Zoning Administrator has determined that this is a conditional use in an M-1 Zoning District and that a variance of Zoning Code rear yard setback requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on August 12, 2014.

**SITE**

This landlocked property is located near the southeast corner of the intersection of Calvert Street with Federal Street. This irregularly-shaped property measures approximately 197'5" along the north side of the right-of-way of the railroad lines leading to Pennsylvania Station from the Northeast service area of the Amtrak rail line, by 135'10" along its eastern boundary shared with a property at the southwest corner of Federal Street and Guildford Avenue, and contains approximately 0.43 acre. The site is currently unimproved except for two permanently installed metal cargo containers measuring approximately 12' by 100' together. This site is zoned M-1-2 and is located within the Greenmount West Urban Renewal Plan area and the North Central National Register Historic District.

**ANALYSIS**

Conditional Use: In this zoning district, offices: business and professional, other than accessory, are a conditional use, requiring approval by the Board (§7-207). The applicant is proposing to construct a professional offices building with an enclosed parking garage beneath it for exclusive use of the tenants of the building.

Urban Renewal Plan: This property is located in the Greenmount West Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district.

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). The amount of off-street parking required for business, governmental or professional offices is one parking space per 800 square feet of office area in excess of 2,000 square feet (§10-405.17 (i)). The applicant is proposing to construct office space totaling approximately 54,500 square feet, which would require 66 parking spaces. The proposed three-level parking garage serving the offices would provide at least 35 spaces on each parking level, thus complying with this requirement.

**Required Access, To Street Or Alley:** Each parking space must be designed with safe and efficient means of vehicular access to: (1) a street; or (2) an alley at least 15 feet wide (§10-306.a). This property is landlocked, i.e. without any access to any street or alley. Access must be established, by means of a recorded permanent easement across and/ or through an adjoining property, before the proposed use could be permitted without a variance of the entire parking space requirement contained in the Zoning Code. The applicant has provided a signed Easement Agreement dated today (8-8-2014) applicable to 1510 Guilford Avenue.

**Required Access, Design of Driveways and Ramps:** In establishing parking spaces under this title, driveways or access ramps must be designed and constructed in a way that permits vehicles to enter or leave the parking spaces without having to move any other vehicle onto the public way (§10-306.b). The Site Plan Review Committee was advised that access is being planned through the parking garage of an adjacent structure on the adjoining property (1510 Guilford Avenue). The applicant will provide final plans including that property to show that the required access will in fact be provided in a manner satisfying this requirement.

**Required Yard:** In this zoning district, a minimum front yard setback of 20' is required; a minimum interior side yard setback of 10' is required if any side yard setback is provided; and a minimum rear yard setback of 30' is required (§7-212). In this case, according to the site engineer the proposed building will project to within 0' of the front lot line, 3' of the interior side lot lines, and 0' of the rear lot line. The front lot line is being established by the applicant as the western boundary line of this property, contiguous with the east side of the northern abutment of the Calvert Street bridge. The applicant has presented SPRC a design with an entrance to, and emergency egress for, the proposed offices and parking garage using the sidewalk on the bridge, which would require openings in the bridge railing at those locations.

**Yard Variance:** The Board may grant a variance to authorize a yard or setback that is less than that otherwise required by the applicable regulation (§15-203).

**Floor Area Ratio Variance:** The Board may grant a variance to increase a basic floor area ratio factor by no more than 75% of the applicable regulation (§15-204.b). In this case, the proposed floor area ratio is 3.2 which exceeds the permitted ratio of 3.0 by 7%. As the request is within the variable range the Board may apply, the appeal may be approved.

**Land Use and Urban Design:** This proposal requires approval from the Site Plan Review Committee and review by the Urban Design and Architectural Review Panel. Planning staff have discussed these requirements with the applicant's development team.

**TransForm Baltimore:** This property would become part of the TOD-4 District (Proposed Zoning Map Area 7-A) in which offices would be permitted uses (Table 12-402). The TOD-4 Districts would have no front, interior side, or rear yard requirements (Table 12-403). Parking spaces would be limited to 3 per 1,000 square feet of gross office floor area (§12-405).

## **RECOMMENDATION**

The Department of Planning recommends approval of this appeal, subject to Site Plan Review Committee approval and Urban Design and Architectural Review Panel review of the development site plan and elevations, and to provision of a recorded permanent easement satisfactory to SPRC connecting this property and its parking facilities to a public street.

TJS/wya/mf

cc: Stephen Levinson, Appellant

Central