


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 / 1100-1102 West Pratt Street		

TO

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

DATE: December 7, 2012

REQUEST

The Department of Planning has received Patrice Bellamy's Board of Municipal and Zoning Appeals (BMZA) application to continue to use the premises as 3 dwelling units and an office. This application has been amended to request approval of a physician's or dentist's professional (non-resident) office, in a structure designed and erected for residential use. We understand that this amended appeal is scheduled for hearing on December 11, 2012.

SITE

1100-1102 West Pratt Street is located on the northwest corner of the intersection with Arlington Avenue. This property measures approximately 25' by 61' and is currently improved with a three-story building measuring approximately 25' by 48'. This site is zoned R-8 and is located within the Poppleton Urban Renewal Plan area and the Hollins Roundhouse National Register Historic District.

ANALYSIS

Use: In this zoning district, offices: business, governmental, and professional, are not listed as a permitted or conditional use, and so are not allowed (§4-1101 to §4-1104). Physicians' or dentists' professional (non-resident) offices, in a structure designed and erected for residential use, subject to the condition that the use is limited to no more than 4 physicians or dentists in the office, are a conditional use (§4-1103). In this case, the property was last authorized for use as a philanthropic organization office, which is a nonconforming use in this R-8 General Residence District. If the applicant stipulates that the proposed office use would be either a physicians' or dentists' office, approval of this application would confirm the extinguishing of the nonconforming use.

Urban Renewal Plan: This property is located in the Poppleton Urban Renewal Area, where the Urban Renewal Plan does not explicitly prohibit or further restrict the proposed use in this district. The Plan contains the provision that "no non-complying land use shall be changed to any other non-complying use (Poppleton Urban Renewal Plan, Land Use Plan, B.1.h, cited in this Department's comments on the prior appeal no. 2010-147). The intent of this provision, which is more restrictive than the Zoning Code, was to reinforce the Plan's goal that properties zoned Residential and containing nonconforming uses and designated by the Plan for residential land use would become residential land uses as soon as the existing nonconforming use was discontinued and abandoned.

Comprehensive Planning: Though City Council Bill 12-0152 (TransForm Baltimore – Zoning) has begun to be discussed by the public, the Department of Planning is recommending that a large brick former industrial building on the east side of the intersection of Pratt and Arlington Streets be rezoned from industrial (M-1) to residential use. The

Department is also recommending that the south side of Pratt Street, where offices and businesses can locate, and where a number of vacancies exist now, remain mixed-use commercial, and the north side remain residential. Some vacant lots on the north side of Pratt Street that are currently zoned residential are now being recommended for open-space zoning. This set of recommendations is consistent with the desire of the local neighborhood associations to strengthen this immediate area along the north side of Pratt Street as a residential area. Use of this property for a physicians' office should be limited to use by two physicians as a way to limit the adverse effects of demand for on-street parking generated by the conditional use.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

RECOMMENDATION

Based on a technical review of the Zoning Code, the nature of this section of West Pratt Street and this particular street-corner property, and the Poppleton Urban Renewal Plan, the Department of Planning has no objection to this appeal, provided that approval is limited to a physician's professional office for no more than two physicians, and to no other form of non-residential use.

TJS/wya/mf

cc: Patrice Bellamy, Appellant