


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 / 2614-2626 and 2632-2678 Pennsylvania Avenue		

TO

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

DATE: January 3, 2014

REQUEST

The Department of Planning has received Nathaniel Greene's Board of Municipal and Zoning Appeals (BMZA) application, on behalf of Penn North Partners LLP and The Woda Group LLC, to consolidate 2614-2626 Pennsylvania Avenue and 2632-2678 Pennsylvania Avenue, retain existing structures on 2632-2678 Pennsylvania Avenue, subdivide the consolidated lot into two lots, and construct a five-story residential mixed-use structure containing 60 dwelling units with 31 off-street parking spaces on the new parcel. The Zoning Administrator has determined that a variance of Zoning Code lot area requirements is needed for approval of this application. We understand that this appeal is scheduled for hearing on January 14, 2014.

SITE

2614-2626 Pennsylvania Avenue is located on the west side of the street, approximately 40' northwest of the intersection with Retreat Street. This property measures approximately 158'9" by 208' and is currently unimproved. 2632-2678 Pennsylvania Avenue is located on the southwest corner of the intersection with Clifton Avenue. This property measures approximately 320'4" along Pennsylvania Avenue and contains approximately 2.135 acres, and is currently improved with a three-story detached building measuring approximately 222' by 56' and a four-story detached building measuring approximately 248' by 56'. This site is zoned B-3-2 and is located within the Penn-North Transit Station Urban Renewal Plan area.

ANALYSIS

Use: In this zoning district, dwellings are a permitted use, and so are allowed (§6-406). The unimproved property known as 2614-2616 Pennsylvania Avenue has most recently been used as a maintenance services yard by the City of Baltimore.

Urban Renewal Plan: This property is located in the Penn-North Transit Station Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. The Urban Renewal Plan prohibits construction shops and yards and highway maintenance shops and yards, so the proposed redevelopment of the property would extinguish what the Plan designates as a "non-complying use".

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§6-411.c.). In this case, for 60 dwelling units, 66,000 square feet of lot area is required. The lot to be created by subdivision of the consolidated lots would only enclose 50,348 square feet, and so would 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 24.7%. The variance requested is within the discretionary range of the Board and so may be allowed.

TransForm Baltimore: This property would become part of the TOD-1 District (Proposed Zoning Map Area 6-A) in which multi-family dwellings and an array of commercial uses would be permitted uses (Table 12-402). The TOD-1 (Transit-Oriented Development 1) Districts would remove off-street parking requirements otherwise imposed on multi-family dwellings by Table 16-406A (§12-405).

Land Use and Urban Design: The proposed development has been presented to both the Site Plan Review Committee and the Urban Design and Architectural Review Panel, but has not received final approval from either group. The applicant should continue to work with both SPRC and UDARP to complete their review processes prior to seeking Planning Commission approval of the proposed subdivision of the consolidated lots. The applicant should also be aware that if additional variances would become necessary as a result of site plan or design changes prior to submission of the subdivision request to the Planning Commission, the Board's approval of those additional variances would be required before the proposed subdivision would be considered by the Planning Commission.

RECOMMENDATION

The Department of Planning recommends approval of this appeal, conditional upon the applicant receiving approval from the Site Plan Review Committee, the Urban Design and Architectural Review Panel, and the Planning Commission for the proposed subdivision and development of this property.

TJS/wya/mf

cc: Nathaniel Greene, Appellant