



**City of Annapolis**  
**Planning Commission**  
**Department of Planning & Zoning**  
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June 3, 2021

**To:** Annapolis City Council  
**From:** Planning Commission  
**Re:** Ordinance O-8-21 (ZTA2021-006) -- Dwellings above nonresidential uses in the PM District the purpose of allowing dwellings above the ground floor of nonresidential uses in the PM zoning district; and matters generally relating to regulation of such dwellings.

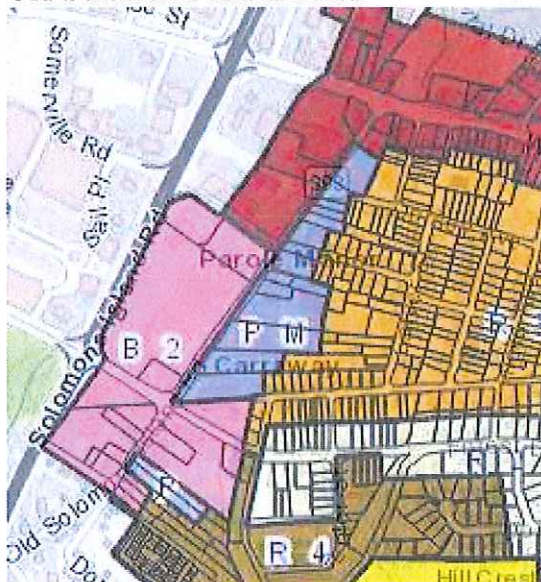
**SUMMARY**

The proposed ordinance would allow dwellings above the ground floor of a nonresidential use in the Professional Mixed Office (PM) district. Per City Code Section 21.44.020, the PM District is “designed to serve as a transitional zone reducing commercial/ office impact on adjoining residential neighborhoods.” The use, “Dwellings above the ground floor of nonresidential uses” is appropriate in this district and it was recommended that it be added in the PM District in the *West Annapolis Sector Study* (2015) as well as the draft *Upper West Street Sector Study*.

**ANALYSIS**

PM is present in Wards 2 and 3 as shown below:

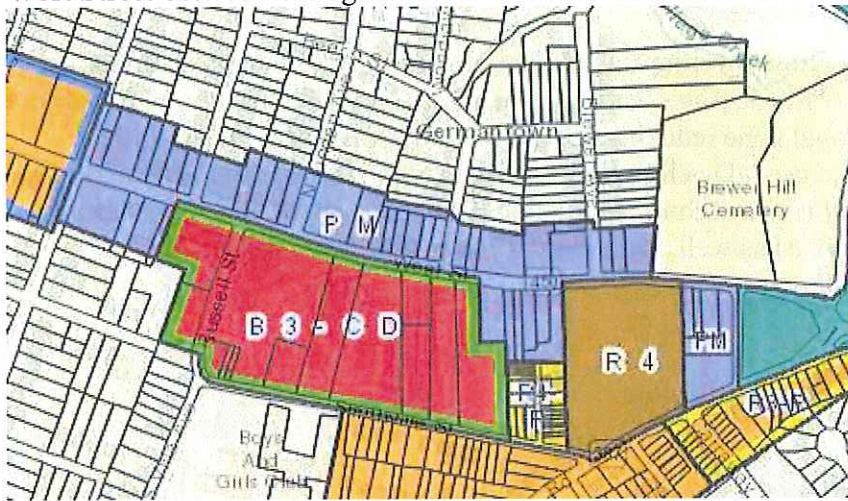
Old Solomon’s Island Road



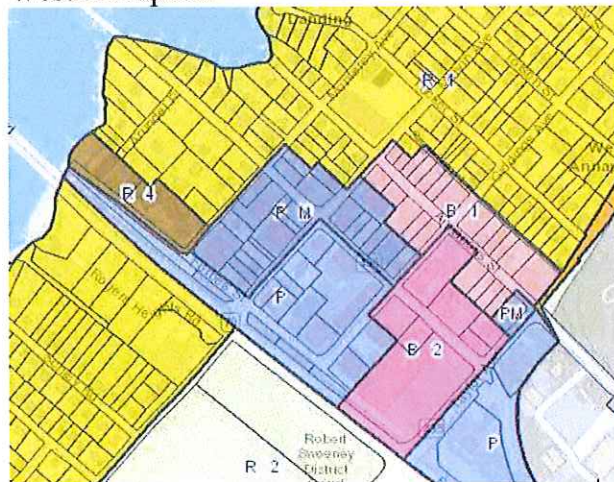
West Street and Legion Avenue



West Street between Westgate Circle and McKendree Avenue



West Annapolis



The PM District is being analyzed as part of the Comprehensive Planning process and it is expected that this district will be combined with a similar lower intensity mixed use zone. Currently, the lot width for a business in the PM district is 65 feet. A preliminary analysis of existing PM Districts shows that less than half of parcels in the PM District are conforming to this bulk regulation. Due to this large degree of nonconformity, it is a flawed standard. Given the remaining robust setback requirements in this zoning district, and due to the variability of existing front yard widths, the bulk regulation for width is not needed.

### **RECOMMENDATIONS**

The Planning Commission held a public hearing on this on May 6, 2021 and May 20, 2021.. There were several public comments on the legislation that were in favor of the legislation. The Commission supports the legislation for the following reasons.

1. Second floor residential uses are compatible as a transition from strictly commercial to strictly residential zones;
2. A wider variety of uses in this zone makes existing building stock more flexible and resilient to economic changes; and
3. As noted in the staff report, this change was recommended in several sector studies as well as the upcoming comprehensive plan which anticipates consolidating mixed use zones.

The recommendation was approved with a vote of 4 to 0.

Adopted this 3<sup>rd</sup> day of June, 2021

  
Ben Sale, Chair

