

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0072 / ZONING – CONDITIONAL USE CONVERSION OF 1 DWELLING UNIT TO 2 DWELLING UNITS – 2229 CALLOW AVENUE

CITY of
BALTIMORE
MEMO



DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

June 16, 2017

At its regular meeting of June 15, 2017, the Planning Commission considered City Council Bill #17-0072, for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2229 Callow Avenue, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0072, and adopted the following resolution, seven members being present (seven in favor):

RESOLVED, That the Planning Commission finds, in accordance with §16-304 and §14-204 of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- will not be detrimental to or endanger the public health, security, general welfare, or morals;
- is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- is not otherwise in any way contrary to the public interest; and
- is in harmony with the purpose and intent of that article;

and further **RESOLVED**, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #17-0072 be passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: (next page)

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyron Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC
Ms. JohnDre Jennings, Druid Heights CDC



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

June 15, 2017

REQUEST: City Council Bill #17-0072/ Zoning – Conditional Use Conversion of 1 Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 2229 Callow Avenue

For the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 2 dwelling units in the R-8 Zoning District on the property known as 2229 Callow Avenue, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Pinkett, at the request of the Druid Heights Community Development Corporation

OWNER: Druid Heights Community Development Corporation

SITE/ GENERAL AREA

Site Conditions: 2229 Callow Avenue is located on the southeast corner of the intersection with Newington Avenue. This property measures approximately 20' by 120' and is currently improved with the shell of a three-story end-of-row residential building measuring approximately 20' by 56'. This site is zoned R-8 and is located in the central portion of the Reservoir Hill Urban Renewal Area and the Reservoir Hill National Register Historic District.

General Area: This is a predominantly residential area known as Reservoir Hill, with scattered uses such as religious institutions, schools, and a few remaining small commercial uses. This residential area is over 100 years old.

HISTORY

The Reservoir Hill Urban Renewal Plan was adopted by Ordinance no. 33, dated April 10, 1972. This Plan was last amended by Amendment 10, dated September 19, 1988, adopted by Ordinance no. 187, dated November 10, 1988. The Reservoir Hill Historic District was certified to the National Register of Historic Places on December 23, 2004.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents; and Objective 2: Strategically Redevelop Vacant Properties Throughout the City.

ANALYSIS

Project: This legislation would allow the petitioner to renovate the existing structure into two dwelling units, providing a new life for this original building. Adaptive re-use as a two-family attached dwelling would allow preservation of part of Reservoir Hill's traditional architectural fabric while offering more affordable housing alternatives to persons who wish to live in an area convenient to downtown Baltimore.

Zoning Analysis: This property was converted to six-family dwelling use in 1943. The BMZA reduced this to five dwelling units in 1975. Vacant House Notices were issued against this property in 1990, 1993, 2014, and 2015. This bill would encourage re-use of a structure in need of restoration, at an intensity more consistent with neighborhood desires and standards.

- The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit (BCZC §4-1106.a.). A lot area of 1,500 square feet is required for two dwelling units; this lot has 2,400 square feet, so a lot area variance is not needed to reduce this requirement.
- The maximum floor area ratio (FAR) in this zoning district is 2.0 (BCZC §4-1108.a.). This premises has a FAR of 1.35, so a variance of that requirement is not needed.
- One off-street parking space is required to serve the newly-created dwelling unit. The rear of this property is bordered by an alley at least 15' wide which allows the owner to provide two off-street parking spaces in the rear yard, so no parking variance is needed.

Conditional Use: The Zoning Code requires (*cf.* §§ 16-304 and 14-204) that the Planning Commission find that:

- (1) the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- (2) the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization is not otherwise in any way contrary to the public interest; and
- (4) the authorization is in harmony with the purpose and intent of this article.

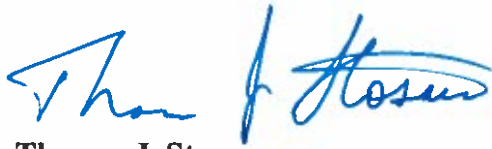
In addition, the Zoning Code requires review of these considerations, as appropriate:

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- development of the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to fire and police protection;
- there is adequate light and air to the premises and to properties in the vicinity;

- adequate utilities, access, drainage, and other necessary facilities have been or will be provided; and
- the use of the property as two dwelling units meets all other applicable standards and requirements of this article (§14-205).

The proposed use as a 2-family dwelling would be consistent with residential use in the area; would not be detrimental to or endanger public health, security, general welfare, or morals; and would allow constructive re-use of a vacant structure that has been a blighting influence on the community. The site is adequate for the proposed use, would not create a negative impact on traffic patterns in the immediate area, nor impair present or future development of the surrounding area, nor have a negative impact on other dwellings, churches, schools, public structures, or other places of public gathering. The site has adequate fire and police protection, adequate air and light, adequate utilities, access, drainage, and other facilities; and use as two dwelling units meets all other applicable standards of the Zoning Code.

Community Notification: Staff notified the Friends of Reservoir Hill, Reservoir Hill Improvement Council, St. Francis Neighborhood Center, and Councilman Pinkett of this matter.



Thomas J. Stosur
Director