

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0062 / ZONING – CONDITIONAL USE CONVERSION OF 1 DWELLING UNIT TO 2 DWELLING UNITS – 2216 EUTAW PLACE

CITY of
BALTIMORE
MEMO



TO

DATE:

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

May 25, 2017

At its regular meeting of May 25, 2017, the Planning Commission considered City Council Bill #17-0062, 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 2216 Eutaw Place, 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 #17-0062, 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 #17-0062 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
Mr. Alex Aaron (for Mario and Elissa Moorhead)



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

May 25, 2017

REQUEST: City Council Bill # 17-0062 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District – 2216 Eutaw Place

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 2216 Eutaw Place, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmember Pinkett, at the request of Mario and Elissa Moorhead

OWNER: Mario and Elissa Moorhead

SITE/ GENERAL AREA

Site Conditions: 2216 Eutaw Place is located on the southwest side of the street, approximately 184' northwest of the intersection with North Avenue. This property measures approximately 18'9" by 146' and is currently improved with a three-story attached residential building measuring approximately 18'9" by 82'. This site is zoned R-8.

General Area: This is a predominantly residential area known as Reservoir Hill, with scattered other uses such as religious institutions, a 21st Century School, and a few small commercial uses. This property is also within the Eutaw Place – Madison Avenue Historic District, a locally designated historic district, and the Reservoir Hill National Register Historic District.

HISTORY

The Reservoir Hill Urban Renewal Plan was originally approved by Ordinance no. 33 dated April 10, 1972. This Plan was last amended by Amendment no. 12 approved by Ordinance no. 14-298 dated October 1, 2014. The Eutaw Place – Madison Avenue Historic District was approved by Ordinance no. 407 dated July 2, 1981. The Reservoir Hill Historic District was placed on 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. It also is consistent with Reservoir Hill Urban Renewal Plan housing objectives to provide housing for families presently residing in the area, encourage home ownership, and foster rehabilitation of housing.

ANALYSIS

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

Zoning Analysis: This property was formerly used as three rental dwelling units, but is being gut-rehab'd. This bill would encourage re-use of a structure consistent with its current zoning.

- 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 thus required for the proposed use. This lot has 2,737 square feet, so no lot area variance is needed to reduce this requirement.
- A rear yard setback of 25' is required (BCZC §4-1107.a.). The property has a 35' deep rear yard that meets this requirement and is suitable for off-street parking, and no encroachment upon this setback is proposed by the petitioner. The rear yard parking spaces are accessible from Morris Street, which parallels Eutaw Place.
- The maximum floor area ratio (FAR) in this zoning district is 2.0 (BCZC §4-1108.a.). This premises has a FAR of 1.64, so a variance of that requirement is not needed.

Conditional Use – Required findings: In accordance with §16-304 of the Zoning Code of Baltimore City, the Planning Commission must base its recommendation to the City Council to approve a conditional use on these considerations required by Title 14 {"Conditional Uses"} of the Zoning Code:

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 the authorization is in harmony with the purpose and intent of this article (§14-204).

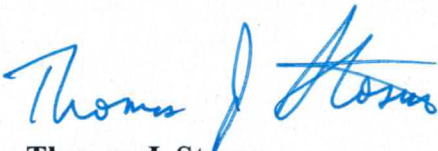
In addition, the Zoning Code requires review of these considerations, as appropriate:

- 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 could otherwise become 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.

Notification: Planning staff notified the Reservoir Hill Improvement Council and the Upper Eutaw – Madison Neighborhood Association of this action.



Thomas J. Stosur
Director