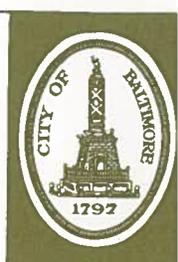


TJA

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #15-0495 / Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – 926 Newington Avenue

CITY of  
BALTIMORE  
**MEMO**



**TO**

DATE:

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

April 10, 2015

At its regular meeting of April 9, 2015, the Planning Commission considered City Council Bill #15-0495, for the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 926 Newington 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 #15-0495, and adopted the following resolution, nine members being present (nine in favor):

**RESOLVED**, That the Planning Commission concurs with the recommendation of its Departmental staff, and recommends that City Council Bill #15-0495 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: Ms. Kaliopé Parthemos, Chief of Staff
- Mr. Colin Tarbert, Deputy Mayor for Economic and Neighborhood Development
- Mr. Leon Pinkett, Assistant Deputy Mayor for Economic and Neighborhood Development
- Ms. Angela Gibson, Mayor's Office
- The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Barbara Zektick, DOT
- Ms. Elena DiPietro, Law Dept.
- Ms. Natawna Austin, Council Services
- Ms. Melissa Krafchik, PABC
- Mr. Derek Jones



*Stephanie Rawlings-Blake*  
Mayor

## PLANNING COMMISSION

*Wilbur E. "Bill" Cunningham, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

**April 9, 2015**

**REQUEST:** City Council Bill #15-0495/ Zoning – Conditional Use Conversion of a 1-Family Dwelling Unit to a 2-Family Dwelling Unit in the R-8 Zoning District – 926 Newington Avenue

For the purpose of permitting, subject to certain conditions, the conversion of a 1-family dwelling unit to a 2-family dwelling unit in the R-8 Zoning District on the property known as 926 Newington Avenue, as outlined in red on the accompanying plat.

**RECOMMENDATION:** Approve

**STAFF:** Martin French

**PETITIONER(S):** Councilmember Nick Mosby, at the request of Derek Jones

**OWNER:** Derek Jones

#### **SITE/ GENERAL AREA**

926 Newington Avenue is located on the northeast corner of the intersection with Brookfield Avenue. This property measures approximately 16' by 105' and is currently improved with a three-story attached residential building containing approximately 2,440 square feet of floor area. This site is zoned R-8 and is located within the Reservoir Hill Urban Renewal Plan area and the Reservoir Hill National Register Historic District.

General Area: This is a predominantly residential area, with scattered uses such as religious institutions, schools, and small commercial uses. Four blocks north of this property is Druid Hill Park, a major Baltimore City park and recreation area also containing the Maryland Zoo. To the south of this property is the John Eager Howard School, one of the first INSPIRE schools, and this property is within the ¼ mile radius area around that school that is targeted for restoration, renewal, and redevelopment supportive of improvement of the school.

#### **HISTORY**

The Reservoir Hill Urban Renewal Plan was originally approved by the Mayor and City Council by Ordinance no. 33 dated April 10, 1972. The Plan was last amended by its Amendment 10 approved in Ordinance no. 187 dated November 10, 1988. The Reservoir Hill National Register Historic District was established in November of 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. The proposed action would support Reservoir Hill Urban Renewal Plan Housing Objectives, specifically those to provide standard housing for families presently living in the area, and to foster rehabilitation of the maximum number of housing units.

## **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 dwelling would allow preservation of part of Baltimore's historic architectural fabric while offering more affordable housing alternatives to persons living within the Reservoir Hill area that is convenient to downtown Baltimore.

Zoning Analysis: 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 lot area of 1,500 square feet is required for two dwelling units; this lot has 1,680 square feet, which satisfies this requirement. One off-street parking space is required to serve the newly-created dwelling unit. The rear yard provides sufficient area for one parking space. The maximum lot coverage permitted for multiple-family dwellings in the R-8 district is based upon a FAR (floor area ratio) of 2.0. This property has a structure with a 1.5 FAR, and so no variance is required in this regard.

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
4. 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 complete constructive re-use of a vacant structure that still retains considerable historic integrity as a contributing structure in one of Baltimore's historic districts. 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 Brooks Lane Community Association, Reservoir Hill Improvement Council, and Councilman Mosby of this matter.



**Thomas J. Stosur**  
**Director**