Introduced by: Councilmember Cohen

At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917

Prepared by: Department of Legislative Reference **Date:** January 3, 2017

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0007

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.

:10/93

Agencies

____ Baltimore City Public School System

✓ Baltimore Development Corporation

✓ City Solicitor

____ Comptroller's Office

____ Department of Audits

____ Department of Finance

____ Department of General Services

✓ Department of Housing and Community Development

____ Department of Human Resources

____ Department of Planning

____ Other:_____

____ Other:_____

____ Other:_____

____ Department of Public Works

____ Department of Real Estate

____ Department of Recreation and Parks

✓ Department of Transportation

____ Fire Department

____ Health Department

____ Mayor's Office of Employment Development

____ Mayor's Office of Human Services

____ Mayor's Office of Information Technology

____ Office of the Mayor

____ Police Department

____ Other:_____

____ Other:_____

Boards and Commissions

____ Board of Estimates

____ Board of Ethics

✓ Board of Municipal and Zoning Appeals

____ Comm. for Historical and Architectural Preservation

____ Commission on Sustainability

____ Employees' Retirement System

____ Other:_____

____ Other:_____

____ Other:_____

____ Environmental Control Board

____ Fire & Police Employees' Retirement System

____ Labor Commissioner

____ Parking Authority Board

✓ Planning Commission

____ Wage Commission

____ Other:_____

____ Other:_____

____ Other:_____

CITY OF BALTIMORE
ORDINANCE 17-013
Council Bill 17-0007

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917
Introduced and read first time: January 9, 2017
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 24, 2017

AN ORDINANCE CONCERNING

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, off-street garage complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That the parking structure remains subject to a Baltimore City Historic Landmark designation, and, as such, all exterior modifications must be reviewed and approved by the Commission for Historical and Architectural Preservation.

SECTION 3 ~~2~~. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

dk16-0059-3rd/21Apr17
cendusc/cb17-0007-3rd/nbr

and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 4 ~~3~~. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Certified as duly passed this _____ day of MAY 08 2017

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of MAY 08 2017, 20___

Chief Clerk

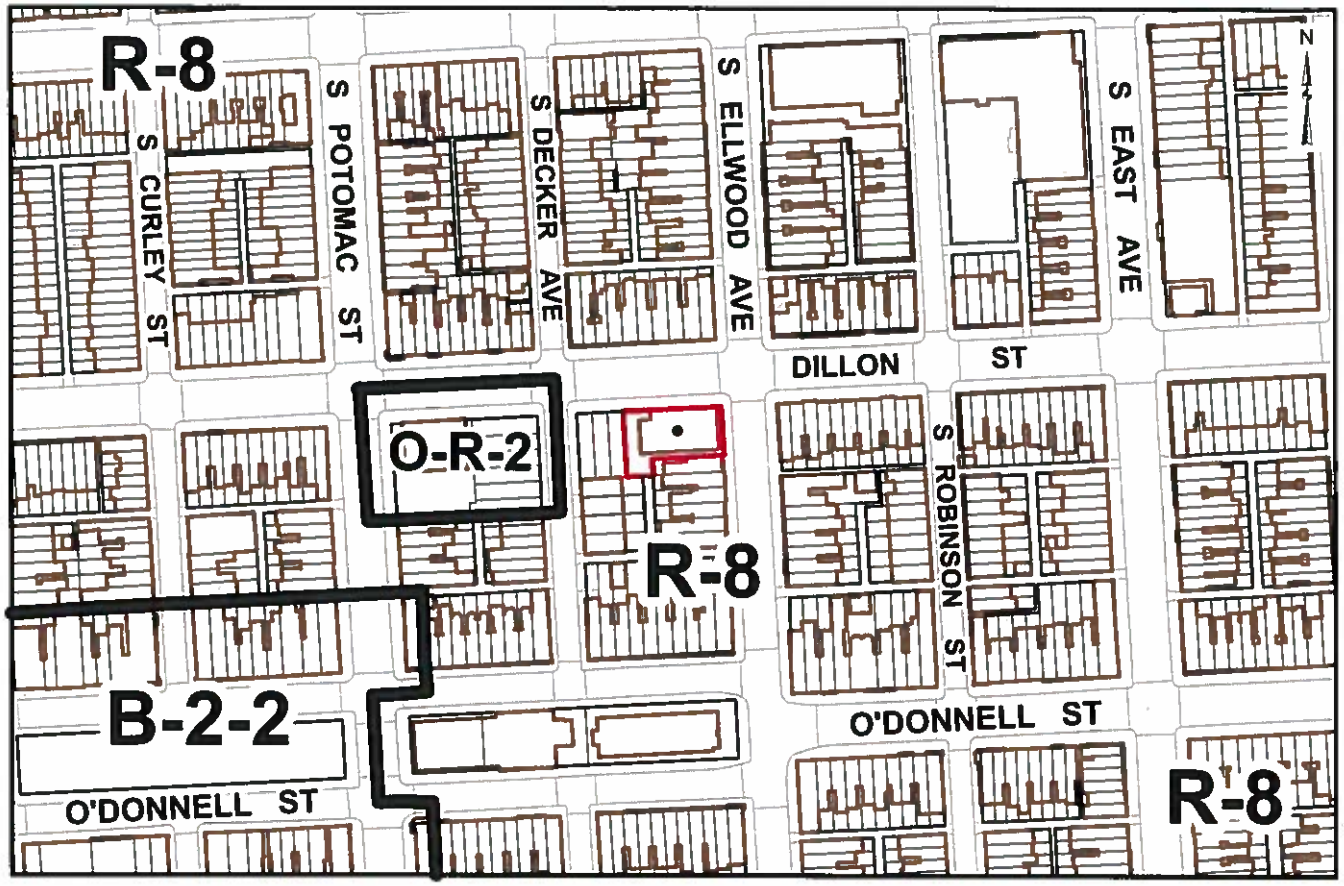
Approved this 16 day of May, 2017

Mayor, Baltimore City

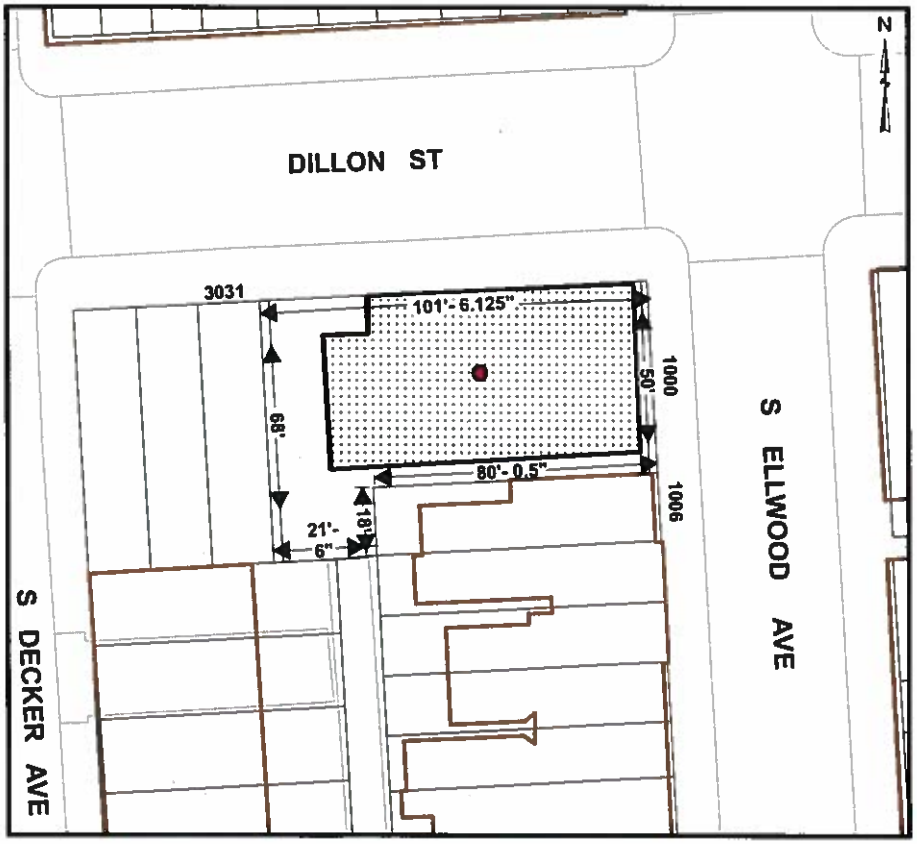
Approved For Form and Legal Sufficiency
This 10th **Day of** May 2017.

Elena R DiPietro
Chief Solicitor

SHEET NO. 68 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With Property Known As No.1000 SOUTH ELLWOOD AVENUE, (To Be Known As 3033 DILLON STREET). The Applicant Wishes To Request The Conditional Use Of The Aforementioned Property For An Off-Street Parking Garage, As Outlined In Red Above.

WARD 1 SECTION 11

BLOCK 1885 LOT 29

MAYOR

PRESIDENT CITY COUNCIL

RPE 12-28-16

007

BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE
VOTING RECORD

DATE: April 12, 2017

BILL NUMBER: 17-0007

BILL TITLE: ZONING – CONDITION USE PARKING, OFF-STREET GARAGE – 1000 SOUTH ELLWOOD AVENUE (to be KNOWN AS 3033 DILLON STREET)

MOTION BY: Costello **SECONDED BY:** Dorsey

☐ **FAVORABLE** ☑ **FAVORABLE WITH AMENDMENTS**

☐ **UNFAVORABLE** ☐ **WITHOUT RECOMMENDATION**

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chairman	☑	☐	☐	☐
Middleton, Sharon -Vice Chair	☑	☐	☐	☐
Costello, Eric	☑	☐	☐	☐
Clarke, Mary Pat	☑	☐	☐	☐
Dorsey, Ryan	☑	☐	☐	☐
Pinkett, Leon	☑	☐	☐	☐
Stokes, Robert	☑	☐	☐	☐
	☐	☐	☐	☐
TOTALS	7			

CHAIRPERSON: Edward L. Reisinger

COMMITTEE STAFF: Marshall C. Bell **Initials:** MB

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFIENCY
4-21-17
DEPT LEGISLATIVE REFERENCE

AMENDMENTS TO COUNCIL BILL 17-0007
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, after line 18, insert:

"**SECTION 2. AND BE IT FURTHER ORDAINED.** That the parking structure remains subject to a Baltimore City Historic Landmark designation, and, as such, all exterior modifications must be reviewed and approved by the Commission for Historical and Architectural Preservation.".

Amendment No. 2

On page 1, in line 19, and on page 2, in line 1, strike "**2**" and "**3**", respectively, and substitute "**3**" and "**4**", respectively.

ADOPTED

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

City Council Bill No. 17-0007

Zoning – Conditional Use Parking, Off-Street Garage –
1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

According to the Baltimore City Zoning Code, agency reports and public testimony a conditional use is being granted under:

Title 14-204

Upon finding 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

Title 14-205

ADOPTED

After consideration of:

(1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

(2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

(3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

(4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

(5) accessibility of the premises for fire and police protection;

(6) accessibility of light and air to the premises and to the property in the vicinity;

(7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

(8) the preservation of cultural and historic landmarks;

(9) the provisions of the City Master Plan:

(10) the provisions of any applicable Urban Renewal Plan:

(11) all applicable standards and requirements of this article;

(12) any other matters considered to be in the interest of the general welfare.

LAND USE AND TRANSPORTATION COMMITTEE:

Chairman	**Member**
Member	**Member**
Member	**Member**
Member	**Member**

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

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Zoning – Conditional Use Parking, Off-Street Garage –
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(4) the authorization is in harmony with the purpose and intent of this article

Title 14-205

After consideration of:

(1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

(2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

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(4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

(5) accessibility of the premises for fire and police protection;

(6) accessibility of light and air to the premises and to the property in the vicinity;

(7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

(8) the preservation of cultural and historic landmarks;

(9) the provisions of the City Master Plan:

(10) the provisions of any applicable Urban Renewal Plan:

(11) all applicable standards and requirements of this article;

(12) any other matters considered to be in the interest of the general welfare.

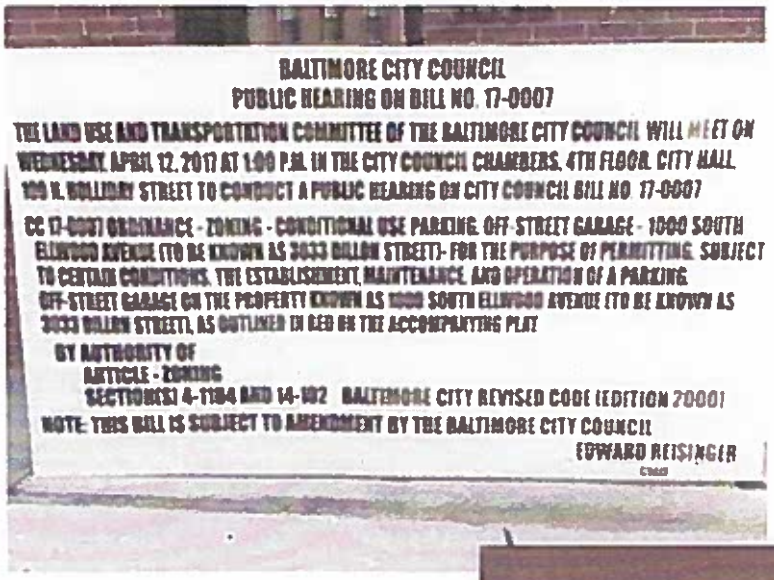
LAND USE AND TRANSPORTATION COMMITTEE:

Chairman	**Member**
Member	**Member**
Member	**Member**
Member	**Member**

Certificate of Posting

Baltimore City Council

Hearing Notice City Council Bill No. 17-0007



BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0007

THE LAND USE AND TRANSPORTATION COMMITTEE OF THE BALTIMORE CITY COUNCIL WILL MEET ON WEDNESDAY, APRIL 12, 2017 AT 1:00 P.M. IN THE CITY COUNCIL CHAMBERS, 4TH FLOOR, CITY HALL, 100 N. HOLLIDAY STREET TO CONDUCT A PUBLIC HEARING ON CITY COUNCIL BILL NO. 17-0007

CC 17-0007 ORDINANCE - ZONING - CONDITIONAL USE PARKING, OFF-STREET GARAGE - 1000 SOUTH ELLWOOD AVENUE (TO BE KNOWN AS 3033 DILLON STREET)- FOR THE PURPOSE OF PERMITTING, SUBJECT TO CERTAIN CONDITIONS, THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF A PARKING OFF-STREET GARAGE ON THE PROPERTY KNOWN AS 1000 SOUTH ELLWOOD AVENUE (TO BE KNOWN AS 3033 DILLON STREET), AS OUTLINED IN RED ON THE ACCOMPANYING PLAT

BY AUTHORITY OF
ARTICLE - ZONING
SECTIONS(S) 4-1104 AND 14-102 BALTIMORE CITY REVISED CODE (EDITION 2000)

NOTE: THIS BILL IS SUBJECT TO AMENDMENT BY THE BALTIMORE CITY COUNCIL

EDWARD REISINGER
CHAIR

1000 South Ellwood Avenue,
Baltimore, Md, 21217

To be known as 3033 Dillon Street

Posted 3/24/17

Bruce E. Doak 3/27/17

Bruce E. Doak

3801 Baker Schoolhouse Road Freeland, MD 21053

RECEIVED
MAR 27 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

The Daily Record
11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
http://www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/23/2017

Darlene Miller

Darlene Miller, Public Notice Coordinator
(Representative Signature)

Order #: 11304374
Case #: BILL NO. 17-0007
Description:

BILL NO. 17-0007 The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April12, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holliday Street to conduct a public hearing on City Council

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0007

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April12, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holliday Street to conduct a public hearing on City Council Bill No. 17-0007.

CC 17-0007 ORDINANCE - **Zoning- Conditional Use Parking, Off-Street Garage - 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)**- FoR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER, Chair

mh23

BALTIMORE CITY COUNCIL

"NOTICE OF INTRODUCTION" SIGN - POSTING REQUIRED

(For Conditional Use, Planned Unit Development and Rezoning Ordinances)

Each applicant requesting authorization of the City Council for a conditional use, a change in the zoning classification of property, or a planned unit development is required to post in a conspicuous place on the property a sign giving notice of the requested authorization or zoning classification change. **The property must be posted for at least 30 days beginning one week after the bill is introduced in the City Council.** Signs are provided by the Department of Legislative Reference (396-4730) for a $20.00 fee.

"NOTICE OF INTRODUCTION" SIGN

ZONING NOTICE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN THAT CITY COUNCIL BILL NO.: 17-0007 **HAS BEEN INTRODUCED INTO THE CITY COUNCIL OF BALTIMORE.**

THE PROPERTY KNOWN AS: 1000 South Ellwood Ave. (to be known as 3033 Dillon Street)

IS PROPOSED TO BE

- ☐ **REZONED FROM:** _____ **TO** _____
- ☑ **CONDITIONAL USE AS:** parking, off-street garage
- ☐ **PLANNED UNIT DEVELOPMENT:** _____ NAME
- ☐ **OTHER:** _____

BY AUTHORITY OF ARTICLE 30 - ZONING, BALTIMORE CITY CODE

The "Notice of Introduction" sign must be posted on the property as follows:

A. The sign must be posted in a conspicuous manner on the front side of the property, not over ten feet above the ground level, and where it will be clearly visible and legible to the public.
B. The sign must be posted not later than one week after introduction of the bill and must remain posted for 30 days thereafter.
C. The sign must be maintained in good condition the entire time it is posted. Where proposed changes are to be at the rear of the property, the sign must nevertheless be posted on the front of the premises, unless otherwise directed.

FOR DEPARTMENT OF LEGISLATIVE REFERENCE

Property Owner : FM HARVEY CONSTRUCTION, LLC

Authorized Representative: BRUCE DOAK

Address: 3801 BAKER SCHOOLHOUSE RD FREDERICK, MD 21053

Bill No. 17-0007 **Sign Picked Up By:** Felicia Belt
SIGNATURE OF PROPERTY OWNER OR REPRESENTATIVE

Type of Change Requested by the Bill (check one):

✓ Conditional Use _____ Rezoning _____ Planned Unit Development

NOTE:

- Prior to the public hearing on the bill, the **Certificate of Posting** at the bottom of this form must be dated, signed, and returned to: Baltimore City Council Office; Executive Secretary; Room 409 City Hall; 100 N. Holliday Street, Baltimore, Maryland 21202.
- A second sign ("Notice of Hearing") will be required to be posted before the public hearing. Information about the "Notice of Hearing" sign can be obtained from the Executive Secretary of the Baltimore City Council (396-4800.) ✓

Certificate of Posting

Baltimore, MD January 17, 2017

I hereby certify that the sign relating to City Council Bill 17-0007 introduced on January 9, 2017 was posted on the premises in question from January 17, 2017 to February 20, 2017 in accordance with the above instructions.

SIGNATURE OF PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE

RECEIVED
MAR - 2 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

TO: Neil Lanzi, Esq., Wright, Constable and Skeen, LLP

FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council

DATE: March 7, 2017

RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR ZONING - CONDITIONAL USE

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: **City Council Bill No. 17-0007**

Date: **Wednesday, April 12, 2017**

Time: **1:00 p.m.**

Place: **City Council Chambers, 4th floor of City Hall, 100 Holliday Street.**

At the expense of the applicant, notice of this public hearing:

1) must be posted by sign on the property involved, 15 days prior to date of hearing. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white back-ground. The sign is to be placed in a conspicuous manner not over 10 feet above the ground; and

2) must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

Newspaper Advertisement

You may choose any of the following newspapers for advertising purposes: The Daily Record, Baltimore Sun, or Afro-American.

Wording for Sign and Newspaper Advertisement

The information that must be advertised and posted appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting on the property and publication of the newspaper advertisements, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTY **BY TUESDAY, MARCH 28, 2017,** AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0007

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 12, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holliday Street to conduct a public hearing on City Council Bill No. 17-0007.

CC 17-0007 ORDINANCE - **Zoning - Conditional Use Parking, Off-Street Garage - 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)** - FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER
Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS ADVERTISEMENT TO:

Neil Lanzi, Esq.
102 Pennsylvania Avenue, Suite 406
Towson, MD, 21204
443-991-5917

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS
DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

April 6, 2017

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0007 Zoning – Conditional Use Parking, Off-Street Garage - 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

Ladies and Gentlemen:

City Council Bill No. 17-0007 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0007 is to permit, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

The BMZA has reviewed the legislation and has reviewed the Department of Planning Staff Report and recommendations and concurs with the Planning Commission response recommending that Bill No. 17-0007 be amended to read that the parking structure remains subject to a local Historic Landmark designation, and as such, all exterior modifications must be approved by CHAP. The Board recommends that City Council Bill No. 17-0007 be amended and passed.

Sincerely,

David C. Tanner
Executive Director

DCT/rdh

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office

Fav, agrees with Planning's Amnd's

Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, 10th District
Mr. David Tanner, Executive Director of the BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Department

BOARD OF MUNICIPAL AND ZONING APPEALS
STAFF REPORT

ZONING DISTRICT:	R-8
ADDRESS:	1000 S. Ellwood Avenue (To be known as 3033 Dillon Street)
BLOCK/LOT:	1885/029
NEIGHBORHOOD:	Canton
LOT AREA:	5,464.08 square feet
REQUEST:	City Council Bill # 17-0007/ Zoning – Conditional Use Parking, Off-Street Garage – 1000 S. Ellwood Avenue (To be known as 3033 Dillon Street).
PETITIONERS:	Councilperson Zeke Cohen, First District
OWNER:	F.M. Harvey Construction, LLC
CASE HISTORY:	This site was designated a Historic Landmark in accordance with Ordinance #13-171. On 5/26/2009, the BMZA Case # 09-292 was approved with conditions to consolidate 1000 S. Ellwood with Block 1885, Lot 28, in order to subdivide the lot and construct 3 new single-family dwellings with rooftop decks. Lastly, on 7/28/2015, BMZA Case # 15-236 was approved to use the property as a 4 dwelling unit structure with a one-story detached garage.

ANALYSIS

The proposal before the City Council is a request to use the premises as an off-street parking garage. In accordance with § 4-1104 of the Zoning Code of Baltimore City, off-street parking garages for the parking of three or more vehicles are conditional uses that requires a legislative ordinance from the Mayor and City Council. In accordance with § 16-304, the Board must base their recommendations to the Council on the considerations set forth under Title 14 {"Conditional Uses"}:

§ 14-204

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

§ 14-205

- The nature of the proposed site, including its size and shape is appropriate for a parking garage;
- The resulting traffic patterns and adequacy of the proposed off-street parking and loading;
- The nature of the surrounding area and the extent to which the proposed garage might impair future development;
- Accessibility of the premises for fire and police protection;
- The preservation of cultural and historic landmarks;

- The provisions of the City Master Plan;
- All applicable standards and requirements of this article; and
- Any other matters considered to be in the interest of the general welfare.

Planning Commission Recommendations

On March 2, 2017, the Planning Commission recommended approval of this conditional use authorization subject to an amendment that the parking structure remains subject to a local Historic Landmark designation. As a result, all exterior modifications would have to ascertain CHAP approval.

BALTIMORE
HOUSING

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner MEB

Date: April 7, 2017

Re: **City Council Bill 17-0007 - Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0007, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

If enacted, this bill would allow the subdivision of the property that was formerly the Canton Methodist Episcopal Church, into five separate fee-simple lots. The property has been remodeled to house four separate townhomes and a four-space parking structure with a rooftop deck. An approved subdivision would make each of the four townhomes a separate lot and the existing parking garage would become a primary use on a new lot. The property was designated a local historic landmark in 2013 and the property will remain subject to CHAP review and approval.

The Department of Housing and Community Development has no objection to the passage of City Council Bill 17-0007.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*

No obj

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

DEPARTMENT OF LAW
101 City Hall
Baltimore, Maryland 21202

March 28, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0007 – Zoning -- Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be known as 3033 Dillon Street)

Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 17-0007 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a parking, open off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

The subject property is zoned R-8 (General Residence District). The conditional uses that require the enactment of an ordinance in an R-8 zone include "Parking, open off-street areas and off-street garages, other than accessory, for the parking of 3 or more automobiles." *See* Zoning Code of Baltimore City ("ZC") §§ 4-1104, 4-1004(4). A conditional use is the subject of this proposed ordinance; accordingly, the ordinance satisfies the above requirements.

The Law Department notes that the Report of the Planning Commission ("Report") provides findings of fact that would support the authorization of this conditional use. *See* Report at 2. The Planning Commission has also recommended that an amendment be made to the legislation to note that "the parking structure remains subject to a Baltimore City Historic Landmark designation, and as such, all exterior modifications must be reviewed and approved by CHAP." The adoption of this amendment by the Committee would not affect the legal sufficiency of the bill.

Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a "legislative authorization." ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304.

Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council's ability to amend the bill apply. *See* ZC § 16-403. Assuming all the procedural requirements are met, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Avery Aisenstark, Director, Dept of Legislative Reference
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervala, Chief Solicitor

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Frank J. Murphy, Acting Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0007	

March 22, 2017

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

I am herein reporting on City Council Bill 17-0007 for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 S. Ellwood Avenue (to be known as 3033 Dillon Street).

This development is within the Southeast Traffic Mitigation Zone, but does not meet the requirement for a review for Traffic Impact.

The Department of Transportation (DOT) has no objection to this bill.

Thank you for this opportunity to comment.

Respectfully,

Frank J. Murphy

Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office

No obj

FROM		
NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO
AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	
SUBJECT	CITY COUNCIL BILL #17-0007 / ZONING-CONDITIONAL USE PARKING 1000 S. ELLWOOD AVENUE	

TO

RECEIVED
DATE: MAR - 9 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

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

March 2, 2017

At its regular meeting of March 2, 2017, the Planning Commission considered City Council Bill #17-0007 for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat. At the same hearing, the Planning Commission reviewed and approved Subdivision #2016-041 which will create the lot in question once properly recorded in the Baltimore City land records.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0007 and adopted the following resolution; seven members being present (seven in favor).

> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0007 be amended and 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: 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
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. Neil Lanzi, Attorney for applicant

Favorable w/ Amend

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

March 2, 2017

REQUEST: City Council Bill #2017-0007 / Zoning- Conditional Use Parking, Off-Street Garage - 1000 S. Ellwood Avenue (to be known as 3033 Dillon Street)

RECOMMENDATION: Amendment and Approval, with the following amendment:

- Add notation to legislation that the parking structure remains subject to a Baltimore City Historic Landmark designation, and as such, all exterior modifications must be reviewed and approved by CHAP.

STAFF: Matthew DeSantis, AICP

PETITIONER: Councilman Zeke Cohen, First District

OWNER: F.M. Harvey Construction, LLC

SITE/GENERAL AREA

Site Conditions: 1000 S. Ellwood Avenue is the site of the former Canton Methodist Episcopal Church and is designated as a Baltimore City Historic Landmark. The property has already been remodeled to house four separate dwelling units in a townhouse format. The subject of this ordinance is the existing four-space parking structure with a rooftop deck. Currently this structure is accessory to the historic church building but an approved subdivision would make it a principal structure/use on its own lot.

General Area: This site is located in the Canton neighborhood and is surrounded primarily by medium density rowhome style development.

HISTORY

- The subject property was designated a Historic Landmark via Ordinance #13-171. It was reviewed by the Planning Commission as CCB #2013-0244 on August 29, 2013 and was recommended for approval.

ANALYSIS

Background: The Canton Methodist Episcopal Church was the first church established in Canton when the Canton Company donated land for the construction of the congregation's first and second buildings. This church was important in the lives of the company's employees, and the civic and social health of the community. The Gothic Revival style building is the

congregation's second church building, designed by renowned Baltimore architect Charles L. Carson and built by prominent Baltimore builder Benjamin F. Bennett in 1883/1884. The church was named the Canton Methodist Episcopal Church, and by the late 20th century, it was known as the Canton United Methodist Church. The church congregation dissolved in 2007 and the building has been vacant since that time. The property was designated a local historic landmark in 2013.

Project: The property owner is currently seeking approval to subdivide the already-constructed project into five separate fee-simple lots. The first four lots would make each of the four dwelling units a separate lot. The fifth lot would separate this existing parking garage with rooftop deck and thusly make it a primary use on a new lot. Construction of the subject garage received an approval from CHAP staff on May 16, 2016 as an accessory use. Even after the subdivision of the land into five separate lots, the properties will still be subject to the same review and approval requirements under CHAP.

Amendments and Standards for Conditional Use: Staff believes that the current parking structure provided will satisfy the required findings and required considerations for conditional uses under §§ 14-204 and 14-205 of the Zoning Code by providing an attractive parking lot that functions well. Specifically:

§14-204

- Approval of this conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- The use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- 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.

§14-205

- The nature of the proposed site, including its size and shape are adequate for a parking lot;
- There will be no negative impact to traffic patterns in the immediate area;
- Development of a parking lot will not impair the present and future development of this lot or the surrounding area;
- That there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, and other places of public gathering;
- That there is adequate accessibility of the premises for fire and police protection;
- That there is adequate light and air to the premises and to properties in the vicinity;
- That adequate utilities, access, drainage, and other necessary facilities that have been or will be provided; and
- That the design meets all other applicable standards and requirements of this article.

Requested Amendment:
To the end that the required consideration found at §14-205(a)(11) "the preservation of cultural and historic landmarks" is satisfied, Staff recommends the amendment to the prosed legislation noting that the parking structure remains subject to a local Historic Landmark designation, and as such, all exterior modifications must be approved by CHAP.

Community Notification: The Canton Community Association has been notified.

Thomas J. Stosur
Director

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: January 24, 2017

SUBJECT: City Council Bill No. 17-0007
Conditional Use Parking, Off-Street Garage – 1000 South Elwood Avenue (to be known as 3033 Dillon Street)

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0007, an ordinance for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

BDC has reviewed the ordinance and supports the approval of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), and is respectfully requesting that Bill No. 17-0007 be given favorable consideration by the City Council.

cc: Colin Tarbert
Angela Gibson

RECEIVED
FEB - 1 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

sandra.blake/ccbill17/17-0007

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

OFFICE OF COUNCIL SERVICES
LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 17-0007

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: April 12, 2017
Time (Beginning): 1:05 pm
Time (Ending): 1:30 pm
Location: Clarence "Du" Burns Chamber
Total Attendance: 20
Committee Members in Attendance:

Edward Reisinger	Leon Pinkett	Robert Stokes
Sharon Green Middleton	Ryan Dorsey	Eric Costello
Mary Pat Clarke		

Bill Synopsis in the file?	☒ yes	☐ no	☐ n/a
Attendance sheet in the file?	☒ yes	☐ no	☐ n/a
Agency reports read?	☒ yes	☐ no	☐ n/a
Hearing televised or audio-digitally recorded?	☒ yes	☐ no	☐ n/a
Certification of advertising/posting notices in the file?	☒ yes	☐ no	☐ n/a
Evidence of notification to property owners?	☒ yes	☐ no	☐ n/a
Final vote taken at this hearing?	☒ yes	☐ no	☐ n/a

Motioned by: ..... **Councilmember** Costello
Seconded by: ..... **Councilmember** Dorsey
Final Vote: ..... **Fav. with Amendments**

Major Speakers

(This is not an attendance record.)

- Matthew DeSantis, Department of Planning
- Neil Lanzi, Attorney, *Wright Constable & Skeen, LLP*

Major Issues Discussed

1. Planning Department testified in support of the ordinance, beginning by giving a brief history of the property and how/why the site was classified "historic" (and as such, any external changes made to any building on the site would be subject to CHAP review and approval). Furthermore, Mr. DeSantis explained why the zoning bill was needed, submitted a clarifying amendment to the text, and provided a short description of the required *findings of fact,* all for the committee's consideration (and subsequent approval).
2. All other departments and agencis stood by their submitted written repoprts.
3. Attorney for the developer gave further background regarding the parking structure in question, and the reason it was given an historic classification, even though it is a new structure. He also explained that the entire church site, and any structures built on it, fell under said classification. Mr. Lanzi wrapped up by answering general questions about the market rate for the townhouses in that neighborhood, and explaining that each of the four properties his clients were renovating are estimated to be listed for approximately $518,000, once completed.

Further Study

Was further study requested? ☐ **Yes** ☒ **No**

If yes, describe.

Marshall C. Bell, Committee Staff Date: April 13, 2017

cc: Bill File
OCS Chrono File

OF BALTIMORE
RING ATTENDANCE RECORD

	CHAIRPERSON: THE HONORABLE ED REISINGER
PLACE: Clarence "Du" Burns Chambers	
RAGE – 1000 SOUTH ELLWOOD AVENUE	**CC BILL NUMBER:** 17-0007

PRINT			WHAT IS YOUR POSITION ON THIS BILL?		(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY	
Y PLEASE CHECK HERE						
S/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR OR	AGAINST	YES OR	NO
arles Street	21202	Johndoenbmore@yahoo.com	✓	✓	✓	✓
Pennsylvania	21204	NLANZI@WCSLAW.COM	✓			✓
or Schoolhouse and Mo Rd	21053	DOAKFARM@GMAIL.COM	✓			✓
						✓
llock Cir. Mills, MD	21117	lou@dea-llc.com				
Dept		matthew.dorsett@baltimorecity.gov				
HARVEY	21030	harvey@fmharvey.com				

be required by law to register with the City Ethics Board. Registration is a simple process. For information and
LEGISLATIVE REFERENCE, 626 City Hall, Baltimore, MD 21202. Tel: 410-396-4730: Fax: 410-396-8483

Page No. _____

BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

The Honorable Edward L. Reisinger
Chairman

PUBLIC HEARING

WEDNESDAY, APRIL 12, 2017
1:00 PM
CLARENCE "DU" BURNS COUNCIL CHAMBERS

City Council Bill #17-0007

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

CITY COUNCIL COMMITTEES

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Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Murray

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Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: D'Paul Nibber

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Kristerfer Burnett– Vice Chair
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Staff: Marshall Bell

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Staff: Marshall Bell

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Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Jennifer Coates
- *Larry Greene* ***(pension only)***

Rev. 1/3/17

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

OFFICE OF COUNCIL SERVICES
LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 17-0007

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (To Be Known As 3033 Dillon Street)

Sponsor: *Councilmember Cohen*
Introduced: *January 9, 2017*

Purpose:

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

Effective: 30th Day after Enactment

Hearing Date/Time/Location: Wednesday, April 12, 2017/1:00 PM/Clarence "Du" Burns Chambers

---

Agency Reports

Planning Commission	Favorable/Amend
Department of Law	Favorable
Baltimore Development Corporation	Favorable
Board of Municipal and Zoning Appeals	
Department of Housing and Community Development	
Department of Transportation	No objection

Analysis

Current Law

Article – Zoning; Section(s) 4-1104 and 14-102; Baltimore City Revised Code (Edition 2000)

Background

CC Bill 17-0007, if approved, would permit, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street). This location is the site of the former Canton Methodist Episcopal Church, and is designated as a Baltimore City Historic landmark. The subject of this ordinance is the existing four-space parking structure with a rooftop deck which is an accessory to the historic church building, but would become a principal structure/use on its own lot, should the subdivision be approved.

The property owner is currently seeking approval to subdivide the already-constructed project into five separate fee-simple lots. The first four lots would make each of the four dwelling units a separate lot. The fifth lot would separate this existing parking garage with rooftop deck, thus making it a primary use on a new lot. Construction of the subject garage has already received approval from CHAP on May 16, 2016 as an accessory use.

The current parking structure satisfies the required considerations for conditional uses under sections 14-204 and 14-205 of the zoning code, by providing an attractive parking lot that function well. Included among the numerous requirements necessary for approval of the conditional use, is the provision that the conditional use will not be detrimental to or endanger the public health, security, general welfare or morals (zc14-204), and also that the nature of the proposed site, including its size and shape, are adequate for a parking lot (zc14-205).

Additional Information

Fiscal Note: Not Available

Information Source(s): Department of Planning staff report

Analysis by: Marshall Bell Direct Inquiries to: 410-396-1091
Analysis Date: April 6, 2017

CITY OF BALTIMORE
COUNCIL BILL 17-0007
(First Reader)

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917
Introduced and read first time: January 9, 2017
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

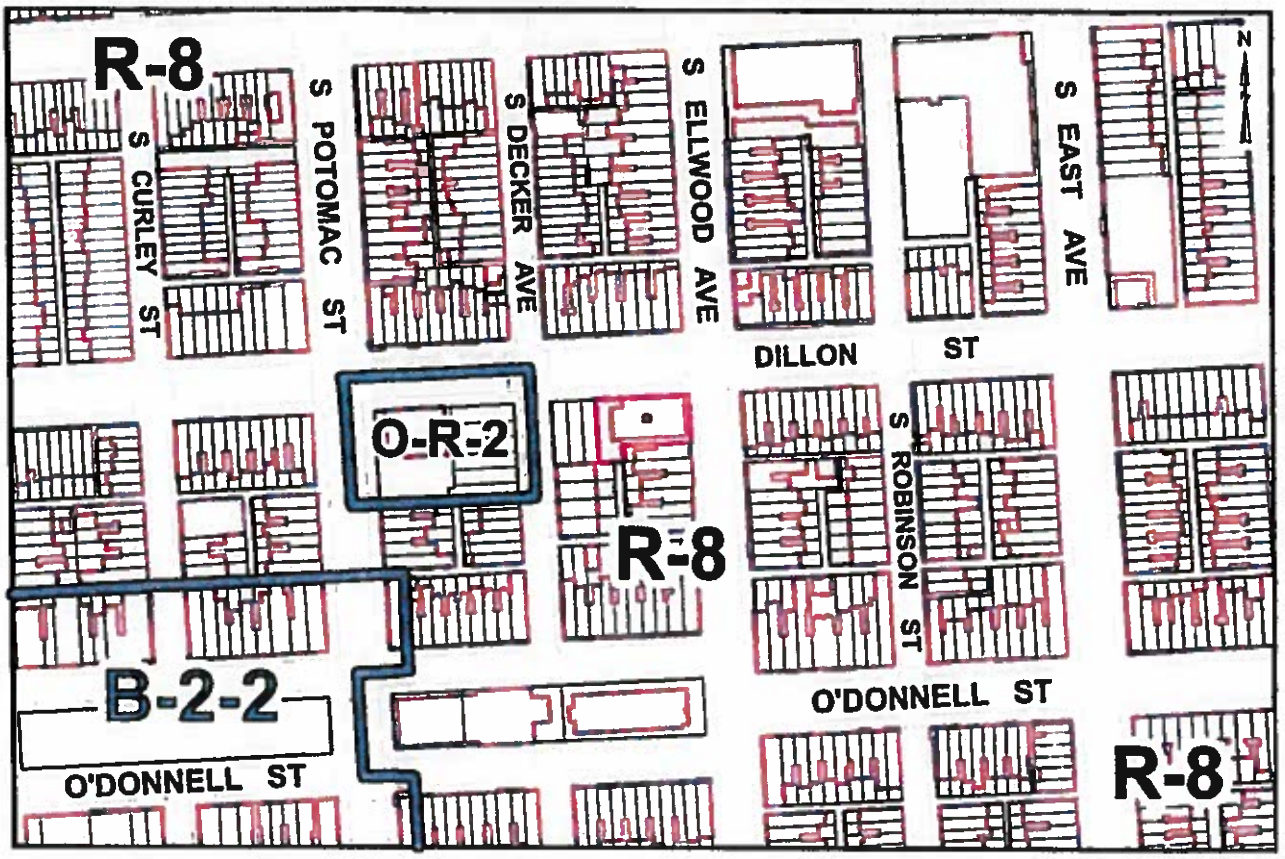
SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, off-street garage complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

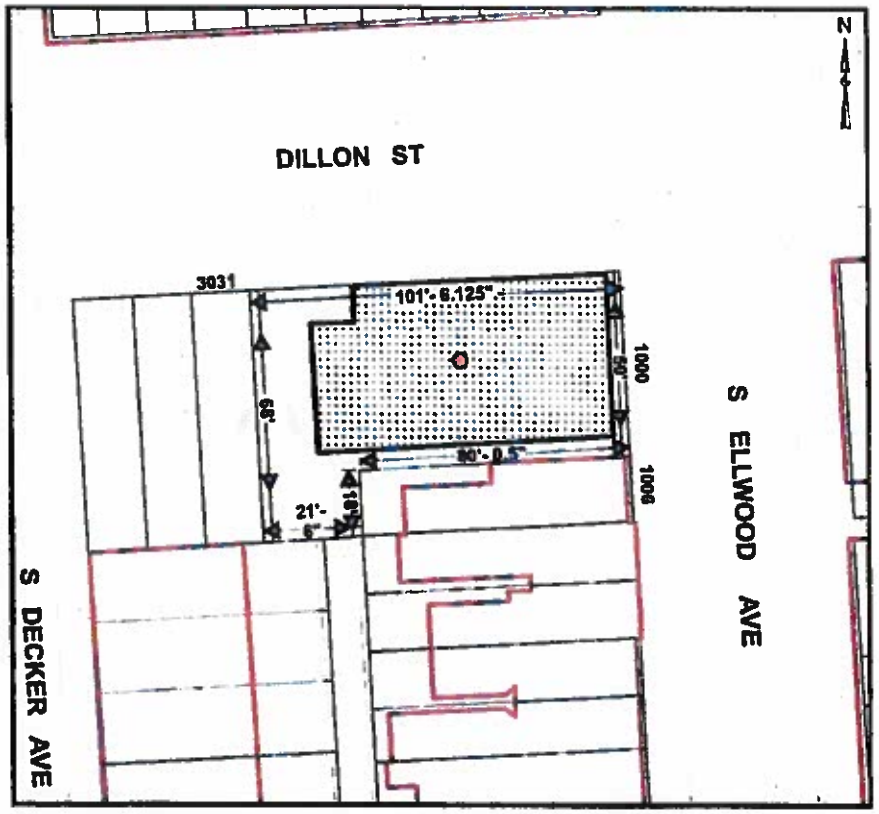
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

SHEET NO. 68 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



Scale: 1" = 200'



Scale 1" = 50'

Note:

In Connection With Property Known As No.1000 SOUTH ELLWOOD AVENUE, (To Be Known As 3033 DILLON STREET). The Applicant Wishes To Request The Conditional Use Of The Aforementioned Property For An Off-Street Parking Garage, As Outlined In Red Above.

WARD 1 SECTION 11

BLOCK 1885 LOT 29

MAYOR

PRESIDENT CITY COUNCIL

RPE 12-28-16

017

LAND USE AND TRANSPORTATION COMMITTEE

CC#: 17-0007

AGENCY REPORTS

FROM		
NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE
AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	MEMO
SUBJECT	CITY COUNCIL BILL #17-0007 / ZONING-CONDITIONAL USE PARKING 1000 S. ELLWOOD AVENUE	DATE:

TO

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

March 2, 2017

At its regular meeting of March 2, 2017, the Planning Commission considered City Council Bill #17-0007 for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat. At the same hearing, the Planning Commission reviewed and approved Subdivision #2016-041 which will create the lot in question once properly recorded in the Baltimore City land records.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0007 and adopted the following resolution; seven members being present (seven in favor).

> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0007 be amended and 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: 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
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. Neil Lanzi, Attorney for applicant

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

March 2, 2017

REQUEST: City Council Bill #2017-0007 / Zoning- Conditional Use Parking, Off-Street Garage - 1000 S. Ellwood Avenue (to be known as 3033 Dillon Street)

RECOMMENDATION: Amendment and Approval, with the following amendment:

- Add notation to legislation that the parking structure remains subject to a Baltimore City Historic Landmark designation, and as such, all exterior modifications must be reviewed and approved by CHAP.

STAFF: Matthew DeSantis, AICP

PETITIONER: Councilman Zeke Cohen, First District

OWNER: F.M. Harvey Construction, LLC

SITE/GENERAL AREA

Site Conditions: 1000 S. Ellwood Avenue is the site of the former Canton Methodist Episcopal Church and is designated as a Baltimore City Historic Landmark. The property has already been remodeled to house four separate dwelling units in a townhouse format. The subject of this ordinance is the existing four-space parking structure with a rooftop deck. Currently this structure is accessory to the historic church building but an approved subdivision would make it a principal structure/use on its own lot.

General Area: This site is located in the Canton neighborhood and is surrounded primarily by medium density rowhome style development.

HISTORY

- The subject property was designated a Historic Landmark via Ordinance #13-171. It was reviewed by the Planning Commission as CCB #2013-0244 on August 29, 2013 and was recommended for approval.

ANALYSIS

Background: The Canton Methodist Episcopal Church was the first church established in Canton when the Canton Company donated land for the construction of the congregation's first and second buildings. This church was important in the lives of the company's employees, and the civic and social health of the community. The Gothic Revival style building is the

congregation's second church building, designed by renowned Baltimore architect Charles L. Carson and built by prominent Baltimore builder Benjamin F. Bennett in 1883/1884. The church was named the Canton Methodist Episcopal Church, and by the late 20th century, it was known as the Canton United Methodist Church. The church congregation dissolved in 2007 and the building has been vacant since that time. The property was designated a local historic landmark in 2013.

Project: The property owner is currently seeking approval to subdivide the already-constructed project into five separate fee-simple lots. The first four lots would make each of the four dwelling units a separate lot. The fifth lot would separate this existing parking garage with rooftop deck and thusly make it a primary use on a new lot. Construction of the subject garage received an approval from CHAP staff on May 16, 2016 as an accessory use. Even after the subdivision of the land into five separate lots, the properties will still be subject to the same review and approval requirements under CHAP.

Amendments and Standards for Conditional Use: Staff believes that the current parking structure provided will satisfy the required findings and required considerations for conditional uses under §§ 14-204 and 14-205 of the Zoning Code by providing an attractive parking lot that functions well. Specifically:

§14-204

- Approval of this conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- The use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- 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.

§14-205

- The nature of the proposed site, including its size and shape are adequate for a parking lot;
- There will be no negative impact to traffic patterns in the immediate area;
- Development of a parking lot will not impair the present and future development of this lot or the surrounding area;
- That there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, and other places of public gathering;
- That there is adequate accessibility of the premises for fire and police protection;
- That there is adequate light and air to the premises and to properties in the vicinity;
- That adequate utilities, access, drainage, and other necessary facilities that have been or will be provided; and
- That the design meets all other applicable standards and requirements of this article.

Requested Amendment:
To the end that the required consideration found at §14-205(a)(11) "the preservation of cultural and historic landmarks" is satisfied, Staff recommends the amendment to the prosed legislation noting that the parking structure remains subject to a local Historic Landmark designation, and as such, all exterior modifications must be approved by CHAP.

Community Notification: The Canton Community Association has been notified.

Thomas J. Stosur
Director

CITY OF BALTIMORE
CATHERINE E. POUGH, Mayor

DEPARTMENT OF LAW
101 City Hall
Baltimore, Maryland 21202

March 28, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0007 – Zoning -- Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be known as 3033 Dillon Street)

Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 17-0007 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a parking. open off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

The subject property is zoned R-8 (General Residence District). The conditional uses that require the enactment of an ordinance in an R-8 zone include "Parking, open off-street areas and off-street garages, other than accessory, for the parking of 3 or more automobiles." *See* Zoning Code of Baltimore City ("ZC") §§ 4-1104, 4-1004(4). A conditional use is the subject of this proposed ordinance; accordingly, the ordinance satisfies the above requirements.

The Law Department notes that the Report of the Planning Commission ("Report") provides findings of fact that would support the authorization of this conditional use. *See* Report at 2. The Planning Commission has also recommended that an amendment be made to the legislation to note that "the parking structure remains subject to a Baltimore City Historic Landmark designation, and as such, all exterior modifications must be reviewed and approved by CHAP." The adoption of this amendment by the Committee would not affect the legal sufficiency of the bill.

Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a "legislative authorization." ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304.

Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council's ability to amend the bill apply. *See* ZC § 16-403. Assuming all the procedural requirements are met, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

Jennifer Landis
Assistant Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Avery Aisenstark, Director, Dept of Legislative Reference
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervala, Chief Solicitor

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: January 24, 2017

SUBJECT: City Council Bill No. 17-0007
Conditional Use Parking, Off-Street Garage – 1000 South Elwood Avenue (to be known as 3033 Dillon Street)

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0007, an ordinance for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

BDC has reviewed the ordinance and supports the approval of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), and is respectfully requesting that Bill No. 17-0007 be given favorable consideration by the City Council.

cc: Colin Tarbert
Angela Gibson

RECEIVED
FEB - 1 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

sandra.blake/ccbill17/17-0007

36 S. Charles St. Suite 2100 Baltimore, MD 21201 410.837.9305 410.837.6363 F BaltimoreDevelopment.com

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Frank Murphy, Acting Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0007	

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

March 22, 2017

I am herein reporting on City Council Bill 17-0007 for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 S. Ellwood Avenue (to be known as 3033 Dillon Street).

This development is within the Southeast Traffic Mitigation Zone, but does not meet the requirement for a review for Traffic Impact.

The Department of Transportation (DOT) has no objection to this bill.

Thank you for this opportunity to comment.

Respectfully,

Frank J. Murphy

Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office

No obj

RECEIVED
MAR 24 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE


received

received

CITY OF BALTIMORE
COUNCIL BILL 17-0007
(First Reader)

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917
Introduced and read first time: January 9, 2017
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, off-street garage complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFICIENCY
1-3-17
DEP'T LEGISLATIVE REFERENCE

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL _____

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

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SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

STATEMENT OF INTENT
UNDER ZONING CODE § 16-202
FOR

1000 S. Ellwood Avenue (to be known as
{Address} 3033 Dillon Street)

1. **Applicant's Contact Information:**
   Name: J. Neil Lanzi, Esquire
   Mailing Address: Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue Suite 406 Towson MD 21204
   Telephone Number: 443-991-5917
   Email Address: nlanzi@wcslaw.com

2. **All Proposed Zoning Changes for the Property:** None

3. **All Intended Uses of the Property:** Off street parking garage with rooftop deck

4. **Current Owner's Contact Information:**
   Name: F.M. Harvey Construction, LLC
   Mailing Address: F.M. Harvey Construction, Co. 128 Cockeysville Road Hunt Valley, MD 21030
   Telephone Number: 410-584-9030
   Email Address: Harvey@fmharvey.com

5. **Property Acquisition:**

   The property was acquired by the current owner on April 21, 2015 by deed recorded in the Land Records of Baltimore City in Liber 17140 Folio 494.

6. **Contract Contingency:**

   (a) There is _____ is not x a contract contingent on the requested legislative authorization.

   (b) If there is a contract contingent on the requested legislative authorization:

   (i) The names and addresses of all parties to the contract are as follows *{use additional sheet if necessary}*: _____

(ii) The purpose, nature, and effect of the contract are: _____

7. **Agency:**

(a) The applicant is _X_ is not _____ acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows *{use additional sheet if necessary}*: Frank M. Harvey and Kristyn Harvey

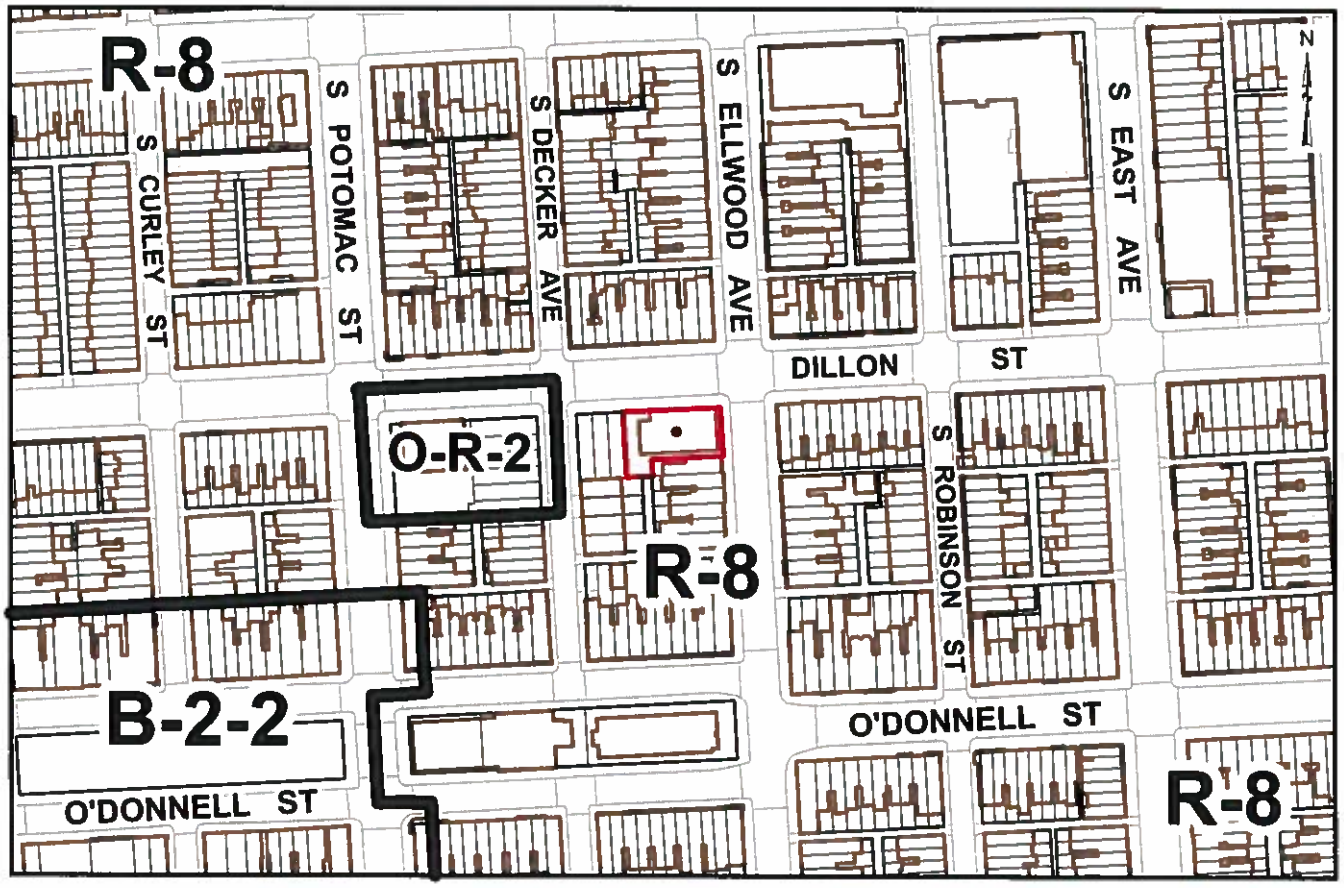
AFFIDAVIT

I, J. Neil Lanzi, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

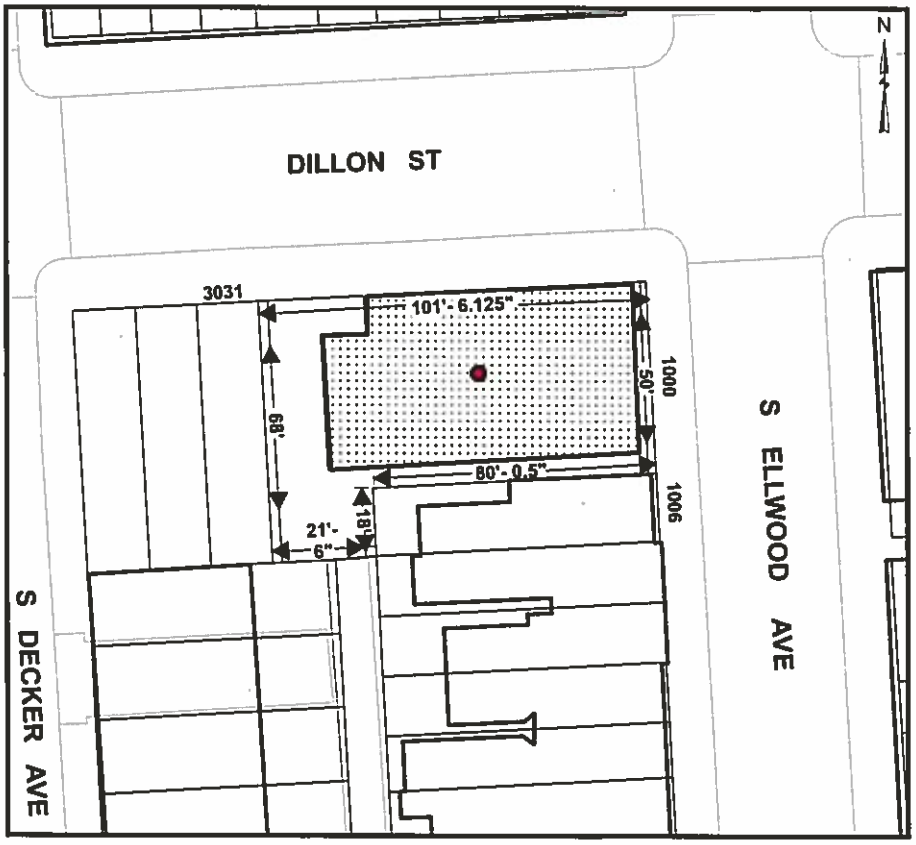
Applicant's signature

12/29/16
Date

SHEET NO. 68 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With Property Known As No.1000 SOUTH ELLWOOD AVENUE, (To Be Known As 3033 DILLON STREET). The Applicant Wishes To Request The Conditional Use Of The Aforementioned Property For An Off-Street Parking Garage, As Outlined In Red Above.

WARD 1 SECTION 11

BLOCK 1885 LOT 29

MAYOR

PRESIDENT CITY COUNCIL

RPE 12-28-16

ACTION BY THE CITY COUNCIL

FIRST READING (INTRODUCTION) JAN 0 9 2017 20 ____

PUBLIC HEARING HELD ON April 12 20 17

COMMITTEE REPORT AS OF April 13 20 17

____ FAVORABLE ____ UNFAVORABLE ____ FAVORABLE AS AMENDED ____ WITHOUT RECOMMENDATION

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

APR 2 4 2017 20 ____

✓ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING MAY 0 8 2017 20

____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) ____ 20 ____

____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) ____ 20 ____

WITHDRAWAL ____ 20 ____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk

1050-10-2

BALTIMORE
HOUSING

CATHERINE PUGH
Mayor

MICHAEL BRAVERMAN
Acting Executive Director, HABC
Acting Commissioner, HCD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Acting Commissioner MEB

Date: April 7, 2017

Re: **City Council Bill 17-0007 - Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0007, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

If enacted, this bill would allow the subdivision of the property that was formerly the Canton Methodist Episcopal Church, into five separate fee-simple lots. The property has been remodeled to house four separate townhomes and a four-space parking structure with a rooftop deck. An approved subdivision would make each of the four townhomes a separate lot and the existing parking garage would become a primary use on a new lot. The property was designated a local historic landmark in 2013 and the property will remain subject to CHAP review and approval.

The Department of Housing and Community Development has no objection to the passage of City Council Bill 17-0007.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*

No Obj

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

BOARD OF MUNICIPAL AND ZONING APPEALS

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

April 6, 2017

RECEIVED
APR 12 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: City Council Bill No. 17-0007 Zoning – Conditional Use Parking, Off-Street Garage - 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

Ladies and Gentlemen:

City Council Bill No. 17-0007 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0007 is to permit, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

The BMZA has reviewed the legislation and has reviewed the Department of Planning Staff Report and recommendations and concurs with the Planning Commission response recommending that Bill No. 17-0007 be amended to read that the parking structure remains subject to a local Historic Landmark designation, and as such, all exterior modifications must be approved by CHAP. The Board recommends that City Council Bill No. 17-0007 be amended and passed.

Sincerely,

David C. Tanner

David C. Tanner
Executive Director

DCT/rdh

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office

Fav, agrees with Plannings Amends

Mr. Colin Tarbert, Mayor's Office
The Honorable Edward Reisinger, 10th District
Mr. David Tanner, Executive Director of the BMZA
Mr. Geoffrey Veale, Zoning Administrator
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Department

BOARD OF MUNICIPAL AND ZONING APPEALS
STAFF REPORT

ZONING DISTRICT:	R-8
ADDRESS:	1000 S. Ellwood Avenue (To be known as 3033 Dillon Street)
BLOCK/LOT:	1885/029
NEIGHBORHOOD:	Canton
LOT AREA:	5,464.08 square feet
REQUEST:	City Council Bill # 17-0007/ Zoning – Conditional Use Parking, Off-Street Garage – 1000 S. Ellwood Avenue (To be known as 3033 Dillon Street).
PETITIONERS:	Councilperson Zeke Cohen, First District
OWNER:	F.M. Harvey Construction, LLC
CASE HISTORY:	This site was designated a Historic Landmark in accordance with Ordinance #13-171. On 5/26/2009, the BMZA Case # 09-292 was approved with conditions to consolidate 1000 S. Ellwood with Block 1885, Lot 28, in order to subdivide the lot and construct 3 new single-family dwellings with rooftop decks. Lastly, on 7/28/2015, BMZA Case # 15-236 was approved to use the property as a 4 dwelling unit structure with a one-story detached garage.

ANALYSIS

The proposal before the City Council is a request to use the premises as an off-street parking garage. In accordance with § 4-1104 of the Zoning Code of Baltimore City, off-street parking garages for the parking of three or more vehicles are conditional uses that requires a legislative ordinance from the Mayor and City Council. In accordance with § 16-304, the Board must base their recommendations to the Council on the considerations set forth under Title 14 {"Conditional Uses"}:

§ 14-204

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

§ 14-205

- The nature of the proposed site, including its size and shape is appropriate for a parking garage;
- The resulting traffic patterns and adequacy of the proposed off-street parking and loading;
- The nature of the surrounding area and the extent to which the proposed garage might impair future development;
- Accessibility of the premises for fire and police protection;
- The preservation of cultural and historic landmarks;

- The provisions of the City Master Plan;
- All applicable standards and requirements of this article; and
- Any other matters considered to be in the interest of the general welfare.

Planning Commission Recommendations

On March 2, 2017, the Planning Commission recommended approval of this conditional use authorization subject to an amendment that the parking structure remains subject to a local Historic Landmark designation. As a result, all exterior modifications would have to ascertain CHAP approval.

CITY OF BALTIMORE
CATHERINE E. PUGH, Mayor

DEPARTMENT OF LAW
101 City Hall
Baltimore, Maryland 21202

March 28, 2017

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 17-0007 – Zoning -- Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be known as 3033 Dillon Street)

Dear Mr. President and City Council Members:

The Law Department has reviewed City Council Bill 17-0007 for form and legal sufficiency. The bill permits the establishment, maintenance, and operation of a parking. open off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

The subject property is zoned R-8 (General Residence District). The conditional uses that require the enactment of an ordinance in an R-8 zone include "Parking, open off-street areas and off-street garages, other than accessory, for the parking of 3 or more automobiles." *See* Zoning Code of Baltimore City ("ZC") §§ 4-1104, 4-1004(4). A conditional use is the subject of this proposed ordinance; accordingly, the ordinance satisfies the above requirements.

The Law Department notes that the Report of the Planning Commission ("Report") provides findings of fact that would support the authorization of this conditional use. *See* Report at 2. The Planning Commission has also recommended that an amendment be made to the legislation to note that "the parking structure remains subject to a Baltimore City Historic Landmark designation, and as such, all exterior modifications must be reviewed and approved by CHAP." The adoption of this amendment by the Committee would not affect the legal sufficiency of the bill.

Pursuant to the City Zoning Code, a bill concerning a conditional use is classified as a "legislative authorization." ZC § 16-101. Legislative authorizations require that certain procedures be followed in the bill's passage. Specifically, certain notice requirements apply to the introduction of the bill. *See* ZC § 16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§ 16-301, 16-302 & 16-304.

Additional public notice and hearing requirements also apply to the bill. *See* ZC § 16-402. Finally, certain limitations on the City Council's ability to amend the bill apply. *See* ZC § 16-403. Assuming all the procedural requirements are met, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

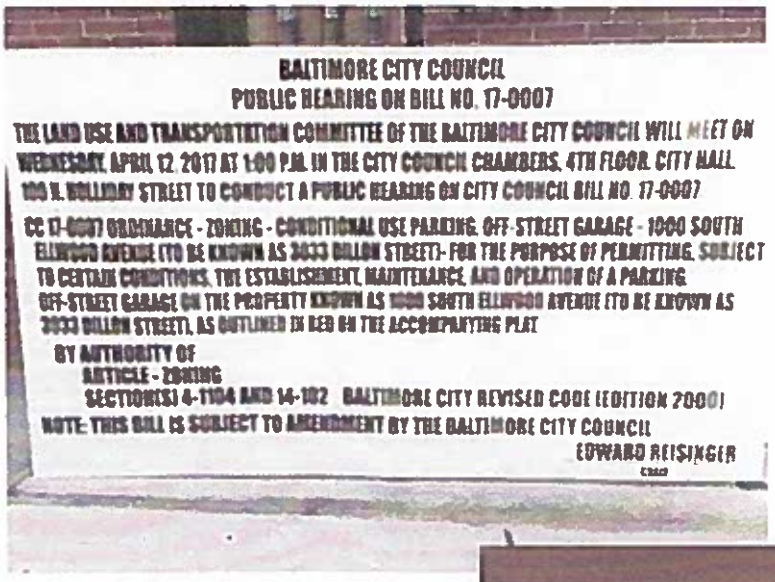
Jennifer Landis
Assistant Solicitor

cc: David Ralph, Acting City Solicitor
Karen Stokes, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Avery Aisenstark, Director, Dept of Legislative Reference
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Victor Tervala, Chief Solicitor

Certificate of Posting

Baltimore City Council

Hearing Notice City Council Bill No. 17-0007



BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0007

THE LAND USE AND TRANSPORTATION COMMITTEE OF THE BALTIMORE CITY COUNCIL WILL MEET ON WEDNESDAY, APRIL 12, 2017 AT 1:00 P.M. IN THE CITY COUNCIL CHAMBERS, 4TH FLOOR, CITY HALL, 100 N. HOLLIDAY STREET TO CONDUCT A PUBLIC HEARING ON CITY COUNCIL BILL NO. 17-0007

CC 17-0007 ORDINANCE - ZONING - CONDITIONAL USE PARKING, OFF-STREET GARAGE - 1000 SOUTH ELLWOOD AVENUE (TO BE KNOWN AS 3033 DILLON STREET)- FOR THE PURPOSE OF PERMITTING, SUBJECT TO CERTAIN CONDITIONS, THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF A PARKING OFF-STREET GARAGE ON THE PROPERTY KNOWN AS 1000 SOUTH ELLWOOD AVENUE (TO BE KNOWN AS 3033 DILLON STREET), AS OUTLINED IN RED ON THE ACCOMPANYING PLAT

BY AUTHORITY OF
ARTICLE - ZONING
SECTION(S) 4-1104 AND 14-102 BALTIMORE CITY REVISED CODE (EDITION 2000)

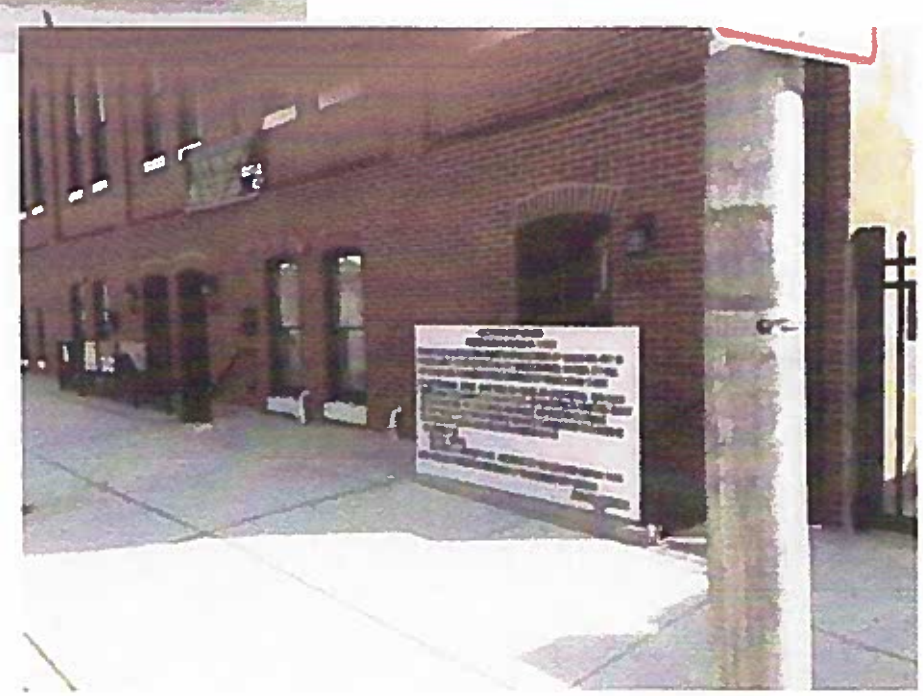
NOTE: THIS BILL IS SUBJECT TO AMENDMENT BY THE BALTIMORE CITY COUNCIL

EDWARD REISINGER
CHAIR

1000 South Ellwood Avenue,
Baltimore, Md, 21217

To be known as 3033 Dillon Street

Posted 3/24/17



Bruce E. Doak 3/27/17

Bruce E. Doak

3801 Baker Schoolhouse Road Freeland, MD 21053

RECEIVED
MAR 27 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	Frank J. Murphy, Acting Director	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527	
	SUBJECT	City Council Bill 17-0007	

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

March 22, 2017

I am herein reporting on City Council Bill 17-0007 for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 S. Ellwood Avenue (to be known as 3033 Dillon Street).

This development is within the Southeast Traffic Mitigation Zone, but does not meet the requirement for a review for Traffic Impact.

The Department of Transportation (DOT) has no objection to this bill.

Thank you for this opportunity to comment.

Respectfully,

Frank J. Murphy

Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office

RECEIVED
MAR 24 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

No obj

The Daily Record
11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
http://www.thedailyrecord.com

Order #: 11304374
Case #: BILL NO. 17-0007
Description:

BILL NO. 17-0007 The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April12, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holliday Street to conduct a public hearing on City Counci

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/23/2017

Darlene Miller

Darlene Miller, Public Notice Coordinator
(Representative Signature)

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 17-0007

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April12, 2017 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 Holliday Street to conduct a public hearing on City Council Bill No. 17-0007.

CC 17-0007 ORDINANCE - **Zoning- Conditional Use Parking, Off-Street Garage - 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)**- FoR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER, Chair

mh23

FROM			CITY of BALTIMORE MEMO
	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8TH FLOOR, 417 EAST FAYETTE STREET	
	SUBJECT	CITY COUNCIL BILL #17-0007 / ZONING-CONDITIONAL USE PARKING 1000 S. ELLWOOD AVENUE	DATE:

TO

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

March 2, 2017

At its regular meeting of March 2, 2017, the Planning Commission considered City Council Bill #17-0007 for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat. At the same hearing, the Planning Commission reviewed and approved Subdivision #2016-041 which will create the lot in question once properly recorded in the Baltimore City land records.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #17-0007 and adopted the following resolution; seven members being present (seven in favor).

> RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0007 be amended and 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: 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
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. Neil Lanzi, Attorney for applicant

Fav w/ Amend

Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT

Thomas J. Stosur
Director

March 2, 2017

REQUEST: City Council Bill #2017-0007 / Zoning- Conditional Use Parking, Off-Street Garage - 1000 S. Ellwood Avenue (to be known as 3033 Dillon Street)

RECOMMENDATION: Amendment and Approval, with the following amendment:

- Add notation to legislation that the parking structure remains subject to a Baltimore City Historic Landmark designation, and as such, all exterior modifications must be reviewed and approved by CHAP.

STAFF: Matthew DeSantis, AICP

PETITIONER: Councilman Zeke Cohen, First District

OWNER: F.M. Harvey Construction, LLC

SITE/GENERAL AREA

Site Conditions: 1000 S. Ellwood Avenue is the site of the former Canton Methodist Episcopal Church and is designated as a Baltimore City Historic Landmark. The property has already been remodeled to house four separate dwelling units in a townhouse format. The subject of this ordinance is the existing four-space parking structure with a rooftop deck. Currently this structure is accessory to the historic church building but an approved subdivision would make it a principal structure/use on its own lot.

General Area: This site is located in the Canton neighborhood and is surrounded primarily by medium density rowhome style development.

HISTORY

- The subject property was designated a Historic Landmark via Ordinance #13-171. It was reviewed by the Planning Commission as CCB #2013-0244 on August 29, 2013 and was recommended for approval.

ANALYSIS

Background: The Canton Methodist Episcopal Church was the first church established in Canton when the Canton Company donated land for the construction of the congregation's first and second buildings. This church was important in the lives of the company's employees, and the civic and social health of the community. The Gothic Revival style building is the

congregation's second church building, designed by renowned Baltimore architect Charles L. Carson and built by prominent Baltimore builder Benjamin F. Bennett in 1883/1884. The church was named the Canton Methodist Episcopal Church, and by the late 20th century, it was known as the Canton United Methodist Church. The church congregation dissolved in 2007 and the building has been vacant since that time. The property was designated a local historic landmark in 2013.

Project: The property owner is currently seeking approval to subdivide the already-constructed project into five separate fee-simple lots. The first four lots would make each of the four dwelling units a separate lot. The fifth lot would separate this existing parking garage with rooftop deck and thusly make it a primary use on a new lot. Construction of the subject garage received an approval from CHAP staff on May 16, 2016 as an accessory use. Even after the subdivision of the land into five separate lots, the properties will still be subject to the same review and approval requirements under CHAP.

Amendments and Standards for Conditional Use: Staff believes that the current parking structure provided will satisfy the required findings and required considerations for conditional uses under §§ 14-204 and 14-205 of the Zoning Code by providing an attractive parking lot that functions well. Specifically:

§14-204

- Approval of this conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
- The use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- 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.

§14-205

- The nature of the proposed site, including its size and shape are adequate for a parking lot;
- There will be no negative impact to traffic patterns in the immediate area;
- Development of a parking lot will not impair the present and future development of this lot or the surrounding area;
- That there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, and other places of public gathering;
- That there is adequate accessibility of the premises for fire and police protection;
- That there is adequate light and air to the premises and to properties in the vicinity;
- That adequate utilities, access, drainage, and other necessary facilities that have been or will be provided; and
- That the design meets all other applicable standards and requirements of this article.

Requested Amendment:
To the end that the required consideration found at §14-205(a)(11) "the preservation of cultural and historic landmarks" is satisfied, Staff recommends the amendment to the prosed legislation noting that the parking structure remains subject to a local Historic Landmark designation, and as such, all exterior modifications must be approved by CHAP.

Community Notification: The Canton Community Association has been notified.

Thomas J. Stosur
Director

Baltimore
Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO

DATE: January 24, 2017

SUBJECT: City Council Bill No. 17-0007
Conditional Use Parking, Off-Street Garage – 1000 South Elwood Avenue (to be known as 3033 Dillon Street)

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0007, an ordinance for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street).

BDC has reviewed the ordinance and supports the approval of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), and is respectfully requesting that Bill No. 17-0007 be given favorable consideration by the City Council.

cc: Colin Tarbert
Angela Gibson

RECEIVED
FEB - 1 2017
BALTIMORE CITY COUNCIL
PRESIDENT'S OFFICE

sandra.blake/ccbill17/17-0007

F

36 S. Charles St. Suite 2100 Baltimore, MD 21201 410.837.9305 O 410.837.6363 F BaltimoreDevelopment.com

CITY OF BALTIMORE
COUNCIL BILL 17-0007
(First Reader)

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917
Introduced and read first time: January 9, 2017
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

AN ORDINANCE concerning

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, off-street garage complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

STATEMENT OF INTENT
UNDER ZONING CODE § 16-202
FOR

1000 S. Ellwood Avenue (to be known as
{Address} 3033 Dillon Street)

1. **Applicant's Contact Information:**
Name: J. Neil Lanzi, Esquire
Mailing Address: Wright, Constable & Skeen, LLP 102 W. Pennsylvania Avenue Suite 406 Towson MD 21204
Telephone Number: 443-991-5917
Email Address: nlanzi@wcslaw.com

2. **All Proposed Zoning Changes for the Property:** None

3. **All Intended Uses of the Property:** Off street parking garage with rooftop deck

4. **Current Owner's Contact Information:**
Name: F.M. Harvey Construction, LLC
Mailing Address: F.M. Harvey Construction, Co. 128 Cockeysville Road Hunt Valley, MD 21030
Telephone Number: 410-584-9030
Email Address: Harvey@fmharvey.com

5. **Property Acquisition:**

The property was acquired by the current owner on April 21, 2015 by deed recorded in the Land Records of Baltimore City in Liber 17140 Folio 494.

6. **Contract Contingency:**

(a) There is ____ is not x a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows *{use additional sheet if necessary}*: ____

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(ii) The purpose, nature, and effect of the contract are: _____

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(a) The applicant is _X_ is not _____ acting as an agent for another.

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AFFIDAVIT

I, J. Neil Lanzi, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

J. Neil Lanzi
Applicant's signature

12/29/16
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AFFIDAVIT

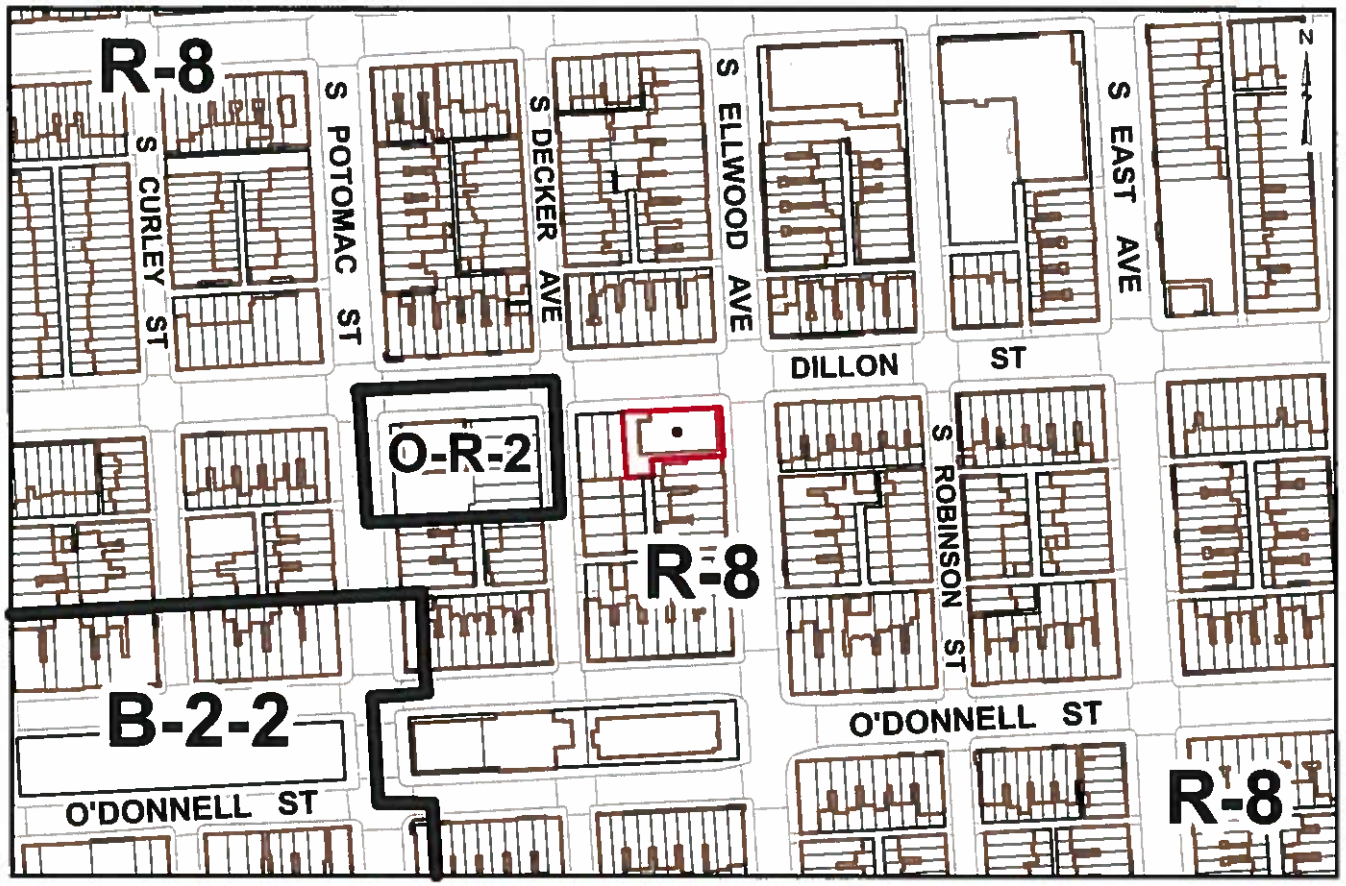
I, J. Neil Lanzi, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

Applicant's signature

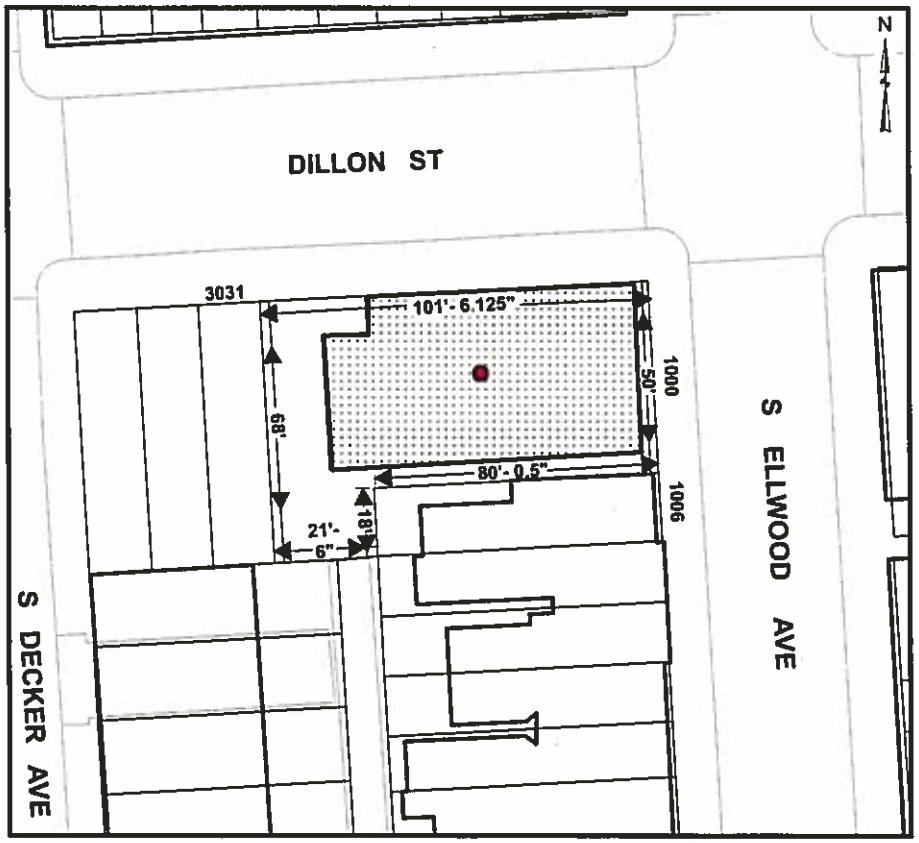
12/29/16
Date

Rev'd 03/27/15

SHEET NO. 68 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



Scale: 1" = 200'



Scale: 1" = 50'

Note:

In Connection With Property Known As No.1000 SOUTH ELLWOOD AVENUE, (To Be Known As 3033 DILLON STREET). The Applicant Wishes To Request The Conditional Use Of The Aforementioned Property For An Off-Street Parking Garage, As Outlined In Red Above.

WARD 1 SECTION 11

BLOCK 1885 LOT 29

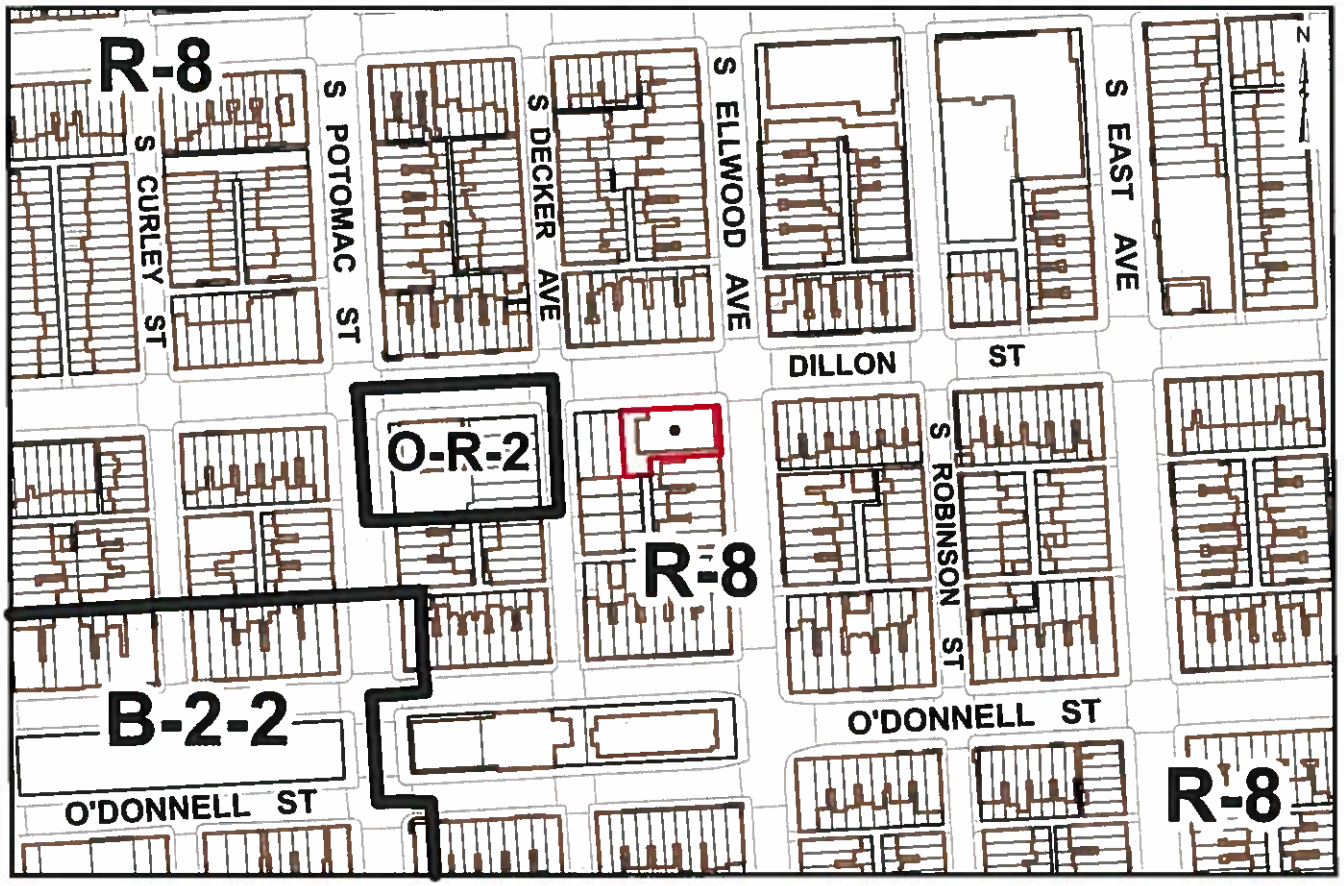
MAYOR

PRESIDENT CITY COUNCIL

RPE 12-28-16

C07

SHEET NO. 68 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



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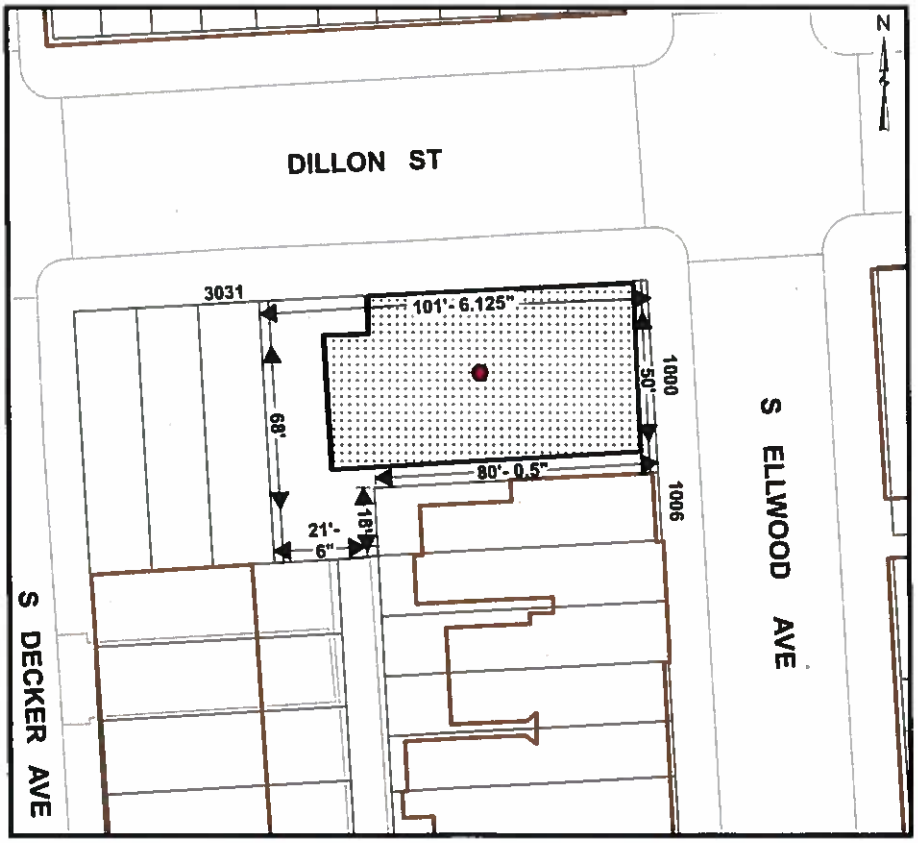

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WARD 1 SECTION 11

BLOCK 1885 LOT 29

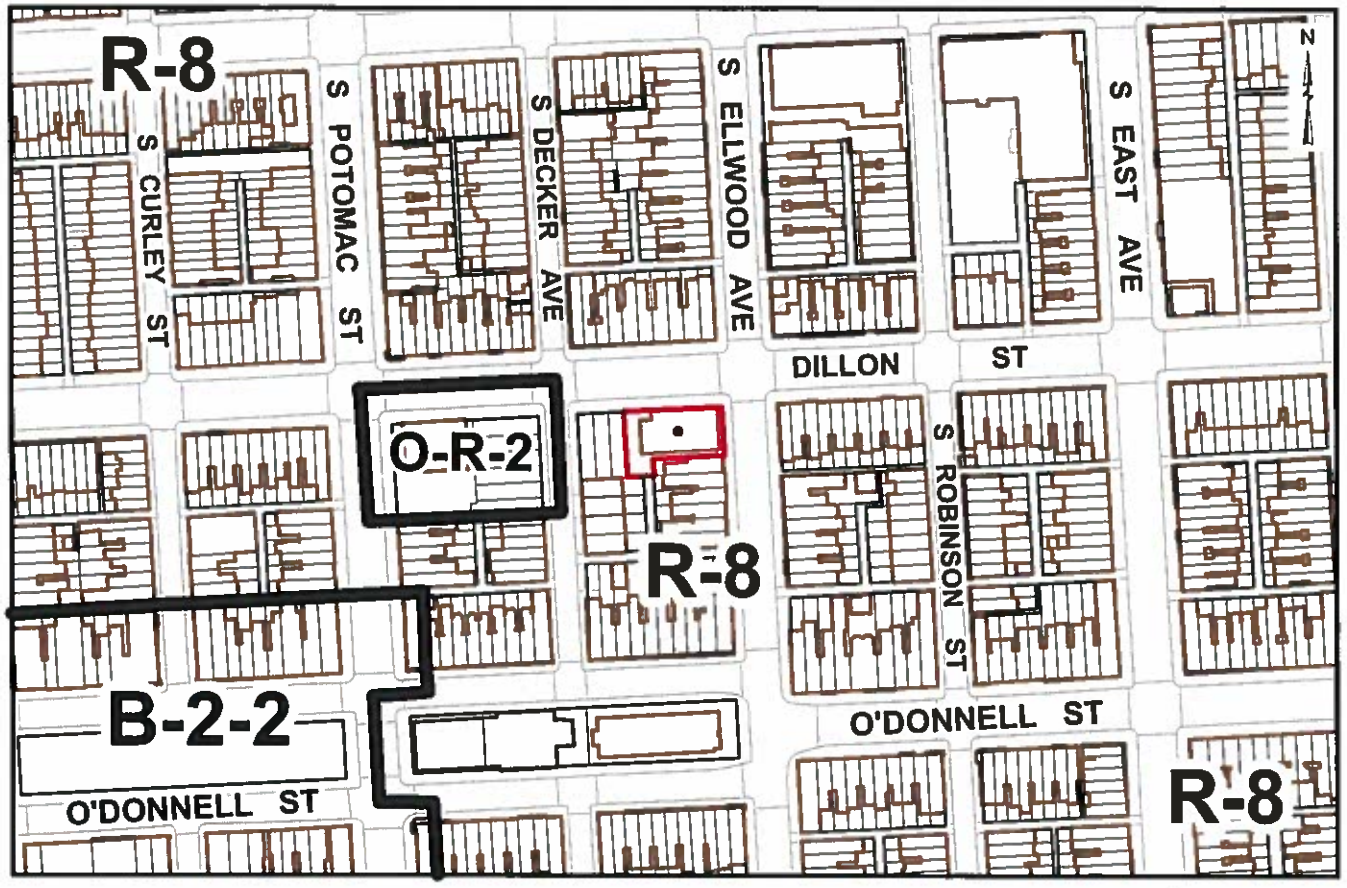
MAYOR

PRESIDENT CITY COUNCIL

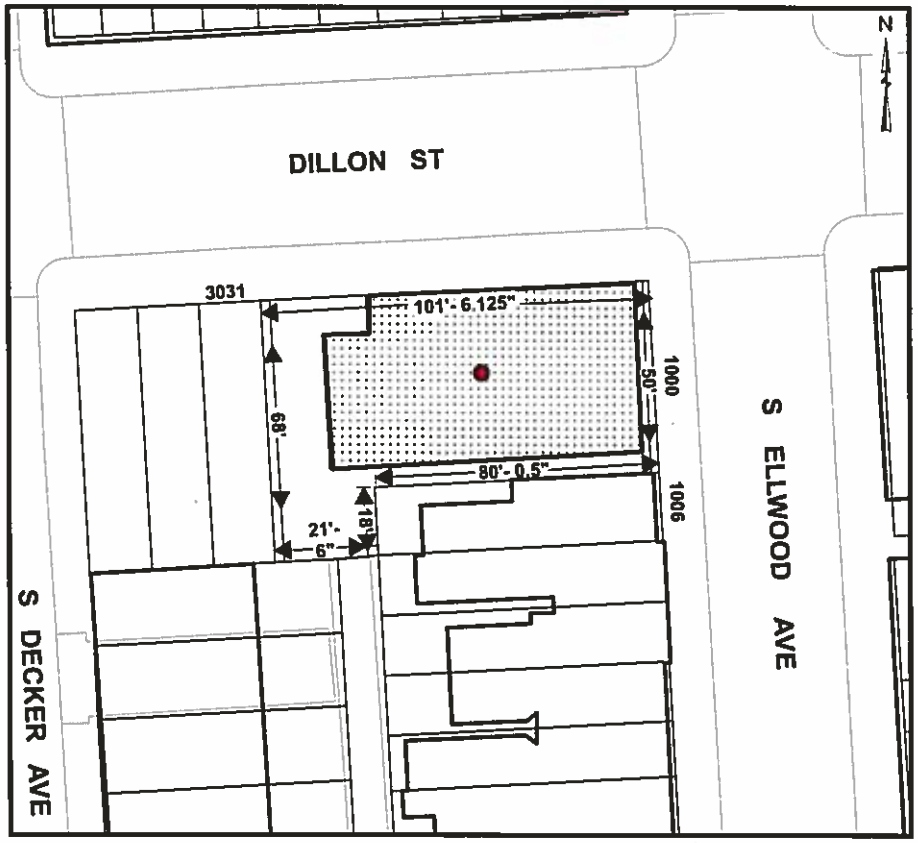
RPE 12-28-16

007

SHEET NO. 68 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



Scale: 1" = 200'



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WARD 1 SECTION 11

BLOCK 1885 LOT 29

MAYOR

PRESIDENT CITY COUNCIL

RPE 12-28-16

007

APPROVED FOR FORM
STYLE, AND TEXTUAL SUFFIENCY
1-3-17
DEPT LEGISLATIVE REFERENCE

INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL 17-0007

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917

A BILL ENTITLED

LUT
Law
Planning Comm
BMZA
HCD
BDC
DOT

AN ORDINANCE concerning

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, off-street garage complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

AMENDMENTS TO COUNCIL BILL 17-0007
(1st Reader Copy)

By: Land Use and Transportation Committee

Amendment No. 1

On page 1, after line 18, insert:

"**SECTION 2. AND BE IT FURTHER ORDAINED.** That the parking structure remains subject to a Baltimore City Historic Landmark designation, and, as such, all exterior modifications must be reviewed and approved by the Commission for Historical and Architectural Preservation.".

Amendment No. 2

On page 1, in line 19, and on page 2, in line 1, strike "2" and "3", respectively, and substitute "3" and "4", respectively.

CITY OF BALTIMORE
ORDINANCE ____
Council Bill 17-0007

Introduced by: Councilmember Cohen
At the request of: F.M. Harvey Construction, LLC
Address: c/o Neil Lanzi, Esquire, Wright, Constable & Skeen, LLP, 102 Pennsylvania Avenue, Suite 406, Towson, Maryland 21204
Telephone: 443-991-5917
Introduced and read first time: January 9, 2017
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 24, 2017

AN ORDINANCE CONCERNING

Zoning – Conditional Use Parking, Off-Street Garage – 1000 South Ellwood Avenue (to be Known as 3033 Dillon Street)

FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the accompanying plat.

BY authority of
Article - Zoning
Section(s) 4-1104 and 14-102
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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is granted for the establishment, maintenance, and operation of a parking, off-street garage on the property known as 1000 South Ellwood Avenue (to be known as 3033 Dillon Street), as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 4-1104 and 14-102, subject to the condition that the parking, off-street garage complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED. That the parking structure remains subject to a Baltimore City Historic Landmark designation, and, as such, all exterior modifications must be reviewed and approved by the Commission for Historical and Architectural Preservation.

SECTION 3 ~~2~~. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 4 ~~3~~. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

Certified as duly passed this _____ day of _____, 20___

_____
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20___

_____
Chief Clerk

Approved this _____ day of _____, 20___

_____
Mayor, Baltimore City