

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

CITY of
BALTIMORE
MEMO



TO

DATE:

March 24, 2017

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

At its regular meeting of March 23, 2017, the Planning Commission considered City Council Bill #17-0016, for the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0016, and adopted the following resolution, seven members being present (seven in favor):

RESOLVED, That the Planning Commission finds, in accordance with subsections 16-304 and 14-204 of the Zoning Code of Baltimore City, that the proposed use provided in City Council bill 17-0016: will not be detrimental to or endanger the public health, security, general welfare, or morals; is not in any way precluded by any other law; is not in any way contrary to the public interest; and is in harmony with the purpose and intent of this Article; and further, the Planning Commission has heard the testimony of its staff that, with regard to the considerations contained in subsection 14-205 of the Zoning Code of Baltimore City, the proposed use would comply with those considerations, and agrees with staff findings that City Council bill 17-0016 should be recommended for approval.

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.
Mr. Francis Burnszynski, PABC
Mr. Daniel Wells



Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 23, 2017

REQUEST: City Council Bill # 17-0016 / Zoning – Conditional Use Conversion of 1 Dwelling Unit to 1 Dwelling Unit and 1 Efficiency Dwelling Unit in the R-8 Zoning District – 2823 Huntingdon Avenue

For the purpose of permitting, subject to certain conditions, the conversion of 1 dwelling unit to 1 dwelling unit and 1 efficiency dwelling unit in the R-8 Zoning District on the property known as 2823 Huntingdon Avenue, as outlined in red on the accompanying plat.

RECOMMENDATION: Approval

STAFF: Martin French

PETITIONERS: Councilmembers Clarke, Dorsey, Cohen, and Stokes, at the request of Daniel Wells

OWNER: Daniel Wells

SITE/GENERAL AREA

Site Conditions: 2823 Huntingdon Avenue is located on the northeast side of the street, approximately 125' north of the intersection with 28th Street. This property measures approximately 30' by 80' and is currently improved with a two-story semi-detached residential building measuring approximately 20' by 60'. This site is zoned R-8.

General Area: This is a predominantly residential area known as Remington, with scattered uses such as religious institutions and small commercial uses (the latter being concentrated on the west side of Remington, near to the Jones Falls). This property is approximately 100' southwest of the western side of the "R House" building in the Remington Row Planned Unit Development. Most of the area was originally developed in the mid-to-late 19th Century. The width of Huntingdon Avenue reflects its original design around the bed of the trolley line connecting Hampden to the north with the city center to the south.

HISTORY

There are no previous legislative or Planning Commission actions regarding this site.

CONFORMITY TO PLANS

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

ANALYSIS

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

Zoning Analysis: This property was formerly authorized for use as a social club. This bill would encourage re-use of a structure consistent with its current zoning.

- The Zoning Code requires, for a property in the R-8 District, 750 square feet of lot area per dwelling unit and 500 square feet of lot area per efficiency unit (BCZC §4-1106.a.). A lot area of 1,250 square feet is thus required for the proposed use. This lot has 2,400 square feet, so a lot area variance is not needed to reduce this requirement.
- An interior side yard of 10' is required for an end-of-group residence (BCZC §4-1107.a.). The property has this interior side yard, and no encroachment upon it is proposed by the petitioner.
- A rear yard setback of 20' is required (BCZC §4-1107.a., as reduced according to BCZC §3-208). The property has a 20' deep rear yard suitable for off-street parking, and no encroachment upon this setback is proposed by the petitioner.
- The maximum floor area ratio (FAR) in this zoning district is 2.0 (BCZC §4-1108.a.). This premises has a FAR of 0.7, so a variance of that requirement is not needed.
- One off-street parking space is required to serve the newly-created dwelling unit. The alley is 20' wide in the rear of this property and meets the Zoning Code requirement for accessibility. The rear yard measures approximately 20' deep by 30' wide, and so could provide at least one off-street parking space. An existing curb cut on Huntingdon Avenue also provides access to a 10' wide driveway that leads to the rear yard. A variance for off-street parking is therefore not required.

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

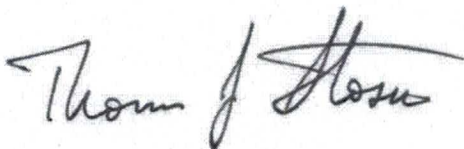
1. the establishment, location, construction, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare, or morals;
2. the use is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
3. the authorization is not otherwise in any way contrary to the public interest; and the authorization is in harmony with the purpose and intent of this article (§14-204).

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

- the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- there will be no negative impact to traffic patterns in the immediate area;
- development of the proposed use will not impair the present and future development of this lot or the surrounding area;
- there will be no negative impact resulting from its proximity to dwellings, churches, schools, public structures, or other places of public gathering;
- there is adequate accessibility of the premises to fire and police protection;
- there is adequate light and air to the premises and to properties in the vicinity;
- adequate utilities, access, drainage, and other necessary facilities have been or will be provided; and
- the use of the property as one dwelling unit and one efficiency dwelling unit meets all other applicable standards and requirements of this article (§14-205).

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

Notification: The following community organizations have been notified of this action: Greater Remington Improvement Association and Remington Neighborhood Alliance.



Thomas J. Stosur
Director