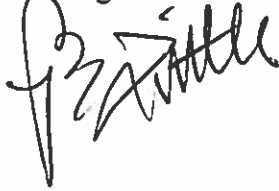


TRANSMITTAL MEMO

TO: Council President Bernard "Jack" Young
FROM: Peter Little, Executive Director
DATE: October 22, 2018
RE: Council Bill 18-0290



PARKING
OF BALTIMORE CITY
AUTHORITY

I am herein reporting on City Council Bill 18-0290 introduced by Councilmember Stokes and President Young at the request of House of Freedom, Inc.

The purpose of this bill is for permitting, subject to certain conditions, the establishment, maintenance, and operation of a residential care facility on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street.

According to Baltimore City Code Art. 32 § 5-201(a), 5-305(a), and 5-308, variances may be granted by City Council. According to Baltimore City Code Art. 32 § Table 16-406, residential-care facilities are required to have off-street parking spaces equaling 1 per 4 employees on peak shift + 1 per 6 residents; however, if the facility does not permit residents to have vehicles at the facility, the facility need not provide off-street parking spaces for residents. This proposed facility will have 30 employees and residents will not be permitted to have vehicles. Therefore, 8 parking spaces are required. However, the facility is planning to have 79 spaces. Baltimore City Code Art. 32 § 16-205 states that in no case may off-street parking be provided in excess of double the requirements of the Code. Therefore, this proposed legislation requests a variance from the off-street parking requirements.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. This property is not located on a block where the PABC currently administers on-street parking programs. A site visit was conducted during the last week of September 2018. The PABC has determined that the available on-street parking inventory is greater than the demand for on-street parking. This location is also in close proximity to multiple transit options. The PABC believes a variance from the off-street parking requirements, especially as large as this, requires adequate explanation. Additionally, the City Council recently adopted the zoning ordinance, and it is believed to be reflective of contemporary conditions and standards. As such, variances should only be granted in highly unique and well justified instances. Therefore, the PABC spoke with the counsel for the developer and she sufficiently justified the need for the additional parking as they are proposing to use it for volunteers.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 18-0290.

**CITY OF BALTIMORE
COUNCIL BILL 18-0290
(First Reader)**

Introduced by: Councilmember Stokes, President Young

At the request of: House of Freedom, Inc.

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: September 17, 2018

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, Health Department, Department of Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Residential Care Facility – Variances –**
3 **1208, 1210-1222, and 1224-1226 East Baltimore Street**

4 FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and
5 operation of a residential care facility on the properties known as 1208, 1210-1222, and
6 1224-1226 East Baltimore Street, as outlined in red on the accompanying plat; and granting
7 variances from certain bulk and yard regulations for rear yard and building height and from
8 certain off-street parking regulations.

9 BY authority of

10 Article 32- Zoning

11 Sections 5-201(a), 5-305(a), 5-308, 10-301 (Table 10-301: Commercial Districts - Permitted
12 and Conditional Uses), 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk
13 and Yard Regulations), 14-334, 16-205, and 16-602 (Table 16-406: Required Off-Street
14 Parking)

15 Baltimore City Revised Code
16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
18 permission is granted for the establishment, maintenance, and operation of a residential care
19 facility, with 260 beds, on the properties known as 1208, 1210-1222, and 1224-1226 East
20 Baltimore Street, as outlined in red on the plat accompanying this Ordinance, in accordance with
21 Baltimore City Zoning Code §§ 5-201(a), 10-301 (Table 10-301: Commercial Districts -
22 Permitted and Conditional Uses) and 14-334, subject to the condition that the residential care
23 facility complies with all applicable federal, state, and local licensing and certification
24 requirements.

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