

# LAND USE COMMITTEE

## FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO ARTICLE 32, SECTION 5-406 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

### City Council Bill No. 19-0475

#### **Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-8 Zoning District - 806 Reservoir Street**

- (1) the establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare **for the following reasons:**

The authorization will allow the applicant to utilize the existing structure as two 4-bedroom units with one occupying each of the first and third floor levels and sharing or splitting the second floor level. The establishment, location, and operation of this property as a multi-family dwelling containing two dwelling units would not be detrimental to or endanger public health, safety, or welfare.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

The proposed use is not precluded by any other law and there is no Urban Renewal Plan for this area.

- (3) the authorization **would not** be contrary to the public interest **for the following reasons:**

The use of the property as a two-family multi-family dwelling would allow preservation of a piece of the community's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units. Additionally, it could advance the public interest by creating housing that is affordable for moderate income families.

- (4) the authorization **would** be in harmony with the purpose and intent of this Code **for the following reasons:**

The use of the property as a two-family multi-family dwelling would allow preservation of a piece of the community's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units. Additionally, it could advance the public interest by creating housing that is affordable for moderate income families.

After consideration of the following, **where applicable (fill out all that are relevant):**

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

The property measures approximately 16'8" by 112'7" and is currently improved with a three-story end-of-row residential building measuring approximately 16'8" by 68'. The authorization will allow the applicant to utilize the existing structure as two 4-bedroom units. The nature of the proposed site, including its size and shape, are adequate for the proposed use.

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

There will be no negative impact to traffic patterns. The property can provide the required off-street parking space and the available on-street parking inventory is greater than the demand for on-street parking in the area. The site is located in a dense, walkable neighborhood that is served by public transportation.

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

Most of the housing in this area was originally developed in the late 19th Century. There are also scattered nonresidential uses such as offices, religious institutions, and small businesses in the area. During the mid-20th Century many single-family dwellings in Reservoir Hill were converted to multi-family or residential mixed-use structures. The proposed use would be consistent with other residential uses in the area and would allow continuing use of a structure that contributes to the neighborhood.

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

There will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other places of public gathering.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility of the premises for emergency vehicles.

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

There is adequate light and air to the premises and to properties 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;

Adequate utilities, access roads, drainage, and other necessary facilities have been provided.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use will not interfere with preservation of cultural and historic landmarks and structures. Approving the property for use as a two-family multi-family dwelling would allow preservation of a piece of the community's traditional architectural fabric while responding to more contemporary, smaller-scale residential needs in a location with convenient access to downtown for residents of the two dwelling units.

- (9) the character of the neighborhood;

Most of the housing in this area was originally developed in the late 19th Century. There are also scattered nonresidential uses such as offices, religious institutions, and small businesses in the area. During the mid-20th Century many single-family dwellings in Reservoir Hill were converted to multi-family or residential mixed-use structures. The proposed use would not alter the character of the neighborhood.

- (10) the provisions of the City's Comprehensive Master Plan;

The proposed use supports the goals of the Comprehensive Master Plan for Baltimore, specifically Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

- (11) the provisions of any applicable Urban Renewal Plan;

There is no Urban Renewal Plan for this area.

- (12) all applicable standards and requirements of this Code;

The proposed use meets all applicable standards and requirements of the Zoning Code.

- (13) the intent and purpose of this Code; and

The proposed use is consistent with the intent and purpose of the Zoning Code.

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

The proposed use is consistent with any other matters that may be considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated January 17, 2020, which included the Department of Planning Staff Report, dated January 16, 2020.

[X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Martin French, Baltimore City Department of Planning
- Victor Tervalá, Department of Law
- Representatives from other City agencies
- Nate Pretl, Representative for the Property Owner

Written – Submitted by: (Include documents that have relevant facts only)

- Department of Transportation, Agency Report – Dated July 6, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated May 18, 2020
- Law Department, Agency Report – Dated May 22, 2020
- Department of Housing and Community Development, Agency Report – Dated March 23, 2020
- Baltimore Development Corporation, Agency Report – Dated December 17, 2019
- Fire Department, Agency Report – Dated December 24, 2019
- Parking Authority, Agency Report – Dated January 8, 2020

**COMMITTEE MEMBERS VOTING IN FAVOR**

Edward Reisinger, Chair  
Shannon Sneed, Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Sharon Green Middleton  
Leon Pinkett  
Robert Stokes