

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 <sup>th</sup> FLOOR		
	SUBJECT	CITY COUNCIL BILL #11-0654 / ZONING - CONDITIONAL USE CONVALESCENT, NURSING, AND REST HOME (ASSISTED LIVING)- 2926 HARFORD ROAD		

DATE:

March 25, 2011

**TO**

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

At its regular meeting of March 24, 2011 the Planning Commission considered City Council Bill #11-0654, which is for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 2926 Harford Road, as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendments to and approval of City Council Bill #11-0654 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 #11-0654 be amended and passed by the City Council.

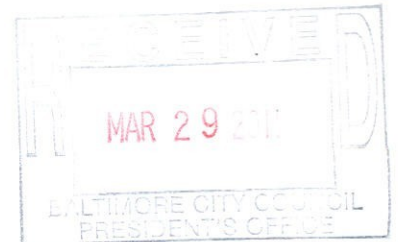
If you have questions, please contact Mr. Wolde Ararsa, Division Chief of Land Use and Urban Design Division, at 410-396-4488.

TJS/

Attachments

cc:

- Ms. Kaliopé Parthemos, Deputy Mayor
- Thomasina Hiers, Chief of Staff
- Ms. Angela Gibson, Mayor's Office
- The Honorable Bill Henry, Council Rep. to Planning Commission
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veal, Zoning Administration
- Ms. Nikol Nabors-Jackson, DHCD
- Ms. Karen Randle, Council Services
- Mr. Larry Greene, Council Services





Stephanie Rawlings-Blake  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

March 24, 2011

**REQUEST:** City Council Bill #11-0654/Zoning – Conditional Use Convalescent, Nursing, and Rest Home (Assisted Living) – 2926 Harford Road

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of a convalescent, nursing, and rest home (assisted living) on the property known as 2926 Harford Road, as outlined in red on the accompanying plat; and repealing a previous ordinance relating to the same property.

**RECOMMENDATION:** Amend and approve, with the following amendments:

- That the maximum number of clients is 40 not including staff;
- There may be no exterior sign on the facility other than a nameplate no larger than 12 inches wide by 12 inches high.

**STAFF:** Ken Hranicky

**PETITIONER(S):** Esther's Place at the Park, LLC.

**OWNER:** Esther's Place at the Park, LLC.

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

**Site Conditions:** This site is located on Harford Road, approximately 267' south of East Thirtieth Street, and is across Harford Road from Clifton Park. The property is approximately 203' by 96.7' and contains a three-story detached residence. This site is zoned R-8 and is within the Coldstream Homestead Montebello Urban Renewal Area, in which it is designated for residential use.

**General Area:** This property lies within the Coldstream Homestead Montebello community. A mix of residential uses, primarily in attached brick structures and churches and other institutions characterizes this area, along with commercial uses along East 25<sup>th</sup> Street and Harford Road, and Baltimore City College at the northwest corner of the neighborhood. Clifton Park is across Harford Road from this site.

#### **HISTORY**

- Ordinance #77-0289, establishing the Urban Renewal Plan for Cold spring Homestead Montebello, was approved on February 28, 1977.
- Ordinance #98-0351, providing the latest amendment to the Cold spring Homestead Montebello Urban Renewal Plan, was approved on June 24, 1998.

- Ordinance #85-0510, providing for the establishment, maintenance and operation of a non-profit home for the shelter of homeless persons on the property known as 2926 Harford Road, was approved on September 25, 1985.
- Ordinance #85-0513, changing the zoning for the properties known as 2926 Harford Road, from the B-1-2 and R-7 zoning districts to the R-8 zoning district, was approved on September 30, 1985.
- Ordinance #03-0594, permitting the establishment, maintenance, and operation of a non-profit home for the rehabilitation of non-bedridden alcoholics and for the care and custody of homeless persons on the property known as 2926 Harford Road, was approved on August 14, 2003.

### **CONFORMITY TO PLANS**

This project is compatible with the Comprehensive Plan's LIVE section, Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

### **ANALYSIS**

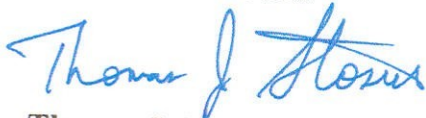
Project: The applicant wishes to establish an assisted living facility at 2926 Harford Road. This use requires the conditional use approval of the Mayor and City Council through an Ordinance. This building will have a maximum capacity of 40 residents. Staff recommends that the CCB #10-0654 be amended to reflect no more than 40 clients. Parking requirements for this use is 1 space per (5) beds and (1) per 6 employees. The parking requirement for the proposed facility is 9 spaces and 10 onsite spaces are provided. The play-lot behind the building will remain for use of guest's children.

CCB #11-0654 also rescinds Ordinance #03-0594, which authorized a home for the rehabilitation of non-bedridden alcoholics and for the care and custody of homes persons at 2926 Harford Road.

Findings: As per §14-204, conditional use requires findings on considerations of standards prescribed by §14-205. Staff finds that:

1. The establishment of this assisted living facility at 2926 Harford Road, in terms of location, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, security, general welfare or morals. The operation of an assisted living facility will not create undue stress on community resources and is consistent with the City Master Plan in providing housing choices for all people.
2. That the proposed use is not in any way precluded by any other law.
3. The authorization of this conditional use is not contrary to the public interest.

The Coldstream Homestead Montebello Community Corporation, Incorporated, has been notified of this action.



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