

Introduced by: Councilmember Stokes, *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

Prepared by: Department of Legislative Reference

Date: September 13, 2018

Referred to: LAND USE AND TRANSPORTATION Committee

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

Robert Steele

CITY COUNCIL 18-0290

A BILL ENTITLED

Bob Young

AN ORDINANCE concerning

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

FOR the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

BY authority of

Article 32- Zoning

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

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.**

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: _____
- Baltimore City Public School System
- 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: _____
- Other: _____
- Other: _____
- Environmental Control Board
- Fire & Police Employees' Retirement System
- Labor Commissioner
- Parking Authority Board
- Planning Commission
- Wage Commission
- Other: _____
- Other: _____
- Other: _____
- Other: _____
- Other: _____
- Boards and Commissions
- 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: _____

CITY OF BALTIMORE
ORDINANCE **19-225**
Council Bill 18-0290

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

Committee Report: Favorable

Council action: Adopted

Read second time: January 14, 2019

AN ORDINANCE CONCERNING

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

FOR the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

BY authority of

Article 32- Zoning

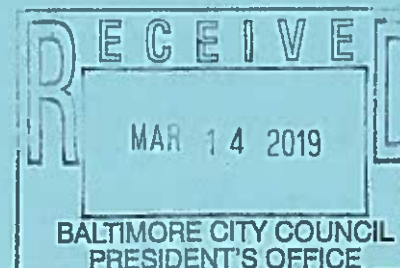
Sections 5-201(a), 5-305(a), 5-308, 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses), 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations), 14-334, 16-205, and 16-602 (Table 16-406: Required Off-Street Parking)

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 residential care facility, with 260 beds, on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a), 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses) and 14-334, subject to the condition that the residential care facility complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the

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.



Council Bill 18-0290

1 requirements of § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard
2 Regulations) for a rear yard setback of 5 feet, in lieu of the required 20 feet.

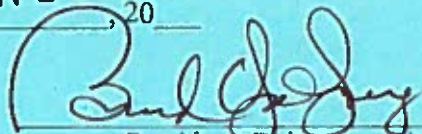
3 SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
4 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
5 maximum building height regulation of 60 feet as specified in § 10-401 (Table 10-401:
6 Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations) to permit a building height of
7 97.5 feet.

8 SECTION 4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-
9 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
10 off-street parking requirements of §§16-205 and 16-602 (Table 16-406: Required Off-Street
11 Parking) to allow off-street parking in excess of double the number of required spaces.

12 SECTION 5. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
13 accompanying plat and in order to give notice to the agencies that administer the City Zoning
14 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
15 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
16 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
17 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
18 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
19 the Zoning Administrator.


20 SECTION 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
21 after the date it is enacted.

Certified as duly passed this _____ day of JAN 28 2019, 20____



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of JAN 28 2019



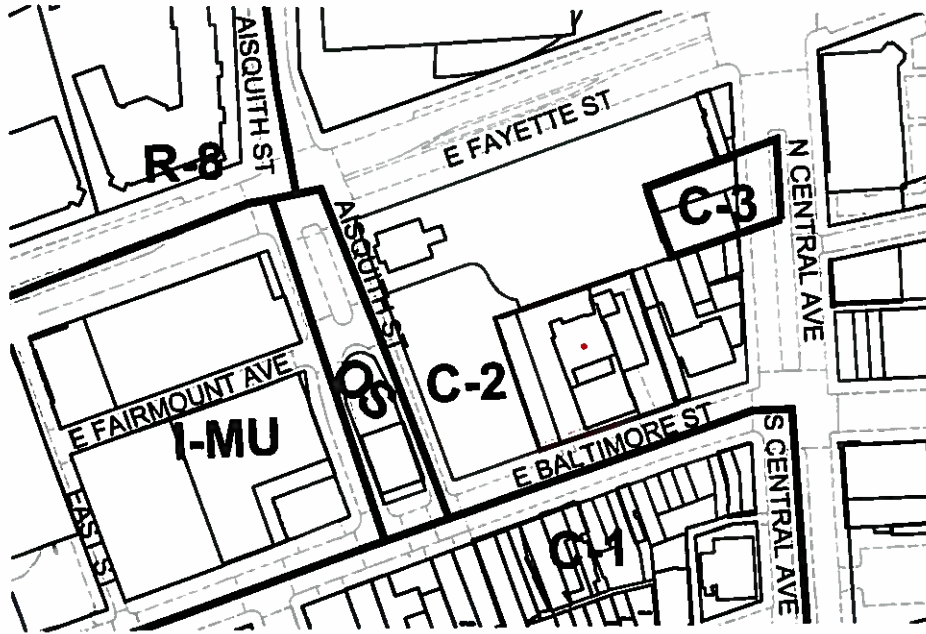
Chief Clerk

Approved this _____ day of _____, 20____

Pursuant to City Charter, Article IV,
Section 5(C), this bill became law on ~~February 25~~ February 28 2019, without the
Mayor's Signature. *-MAY*

Mayor, Baltimore City

SHEET NO. 56 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE.



1 inch = 200 ft.

**CONDITIONAL USE: AREA OUTLINED IN RED TO BE USED FOR
A RESIDENTIAL CARE FACILITY (260 BEDS).**

No. 1208, 1210-1222 AND 1224-1226 E. BALTIMORE STREET

APPLICANT: HOUSE OF FREEDOM, INC.

WARD - 5 SECTION - 8 BLOCK - 1339 LOTS - 04-08

MAYOR

Baltimore

PRESIDENT CITY COUNCIL

09-12-18
ALIZA S. HERTZMARK
COLBERT MATZ ROSENFELT

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BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: January 9, 2019

BILL#: 18-0290

BILL TITLE: Zoning - Conditional Use Residential Care Facility - Variances - 1208, 1210-1222, and 1224-1226 East Baltimore Street

MOTION BY: Stokes SECONDED BY: Clark

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>		<u>1</u>	

CHAIRPERSON: Edward P. Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC



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LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION 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:

ADOPTED

City Council Bill No. 18-0290

Zoning - Conditional Use Residential Care Facility - Variances - 1208, 1210-1222, and 1224-1226 East Baltimore 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 establishment of the proposed residential care facility at the Property will not be detrimental to or endanger the public health safety or welfare. Helping Up Mission currently operates a men's facility nearby at 1029 E. Baltimore Street, which has provided addiction recovery and outreach services to men experiencing homelessness, poverty, and/or addiction for over 100 years. The proposed facility will expand their offerings to up to 260 women and their children, and has been well received by the community.

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

The proposed use of the Property as a residential care facility is not precluded by any other law, and the Property is located in an Urban Renewal Area.

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

The authorization of the conditional use is in the public interest as it is supported by the local community.

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



1.

ADOLPH

The authorization is in harmony with the purposes of the Code set forth in Art. 32, §§ 2-101(2) ("to promote and protect public health, welfare, and quality of life for current and future generations") and 2-101(6) ("to preserve and enhance the value of structures, communities, and neighborhoods"). Not only will this project permit the redevelopment of an underutilized site, it will permit the establishment of a program to serve women and children experiencing homelessness, poverty, and addiction.

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

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

The existing structures on the Property will be demolished, and a new, state-of-the-art structure will be constructed in its place. The new structure has been designed to most efficiently and appropriately serve the needs of the program.

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

The proposed use will have no impact on traffic patterns. A variance is requested from §§ 16-205 and 16-602 to permit off-street parking in excess of the number of required spaces. Off-street parking for the proposed use is calculated based on the number of employees, with one space required per four employees at the peak shift. (As residents of the facility are not permitted to have vehicles, no off-street parking is required for the residents.) It is anticipated that approximately 40 employees will be on site during the peak shift, in addition to approximately 35-40 volunteers. Based on the number of employees, only 10 parking spaces would be required. Approximately 73 parking spaces are proposed in the garage on site to accommodate the proposed number of employees and volunteers.

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

The Property is located along the commercial Baltimore Street corridor, and is located adjacent to the new Ronald McDonald House. The proposed use demonstrates a substantial investment in the neighborhood and will provide necessary services to local residents. Based on Helping Up Mission's experience at the nearby men's facility, it is not anticipated that the proposed women and children's facility will impair present or future development of the surrounding area.



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

The Property is located near dwellings and places of public gathering, but based on Helping Up Mission's experience at the nearby men's facility, the proposed use will not have a negative impact on surrounding uses.

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

The proposed structure has been reviewed and approved by the Site Plan Review Committee, which includes representatives of the Fire Department. It will comply with all Fire Code requirements to ensure accessibility for emergency vehicles and personnel.

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

The design of the proposed structure has been reviewed and approved by the Commission for Historic and Architectural Preservation, and is appropriate in size and scale for the neighborhood.

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

There are adequate utilities, roads, drainage, and other necessary facilities for the proposed use.

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

Not applicable.

- (9) the character of the neighborhood;

The Property is located along the Baltimore Street commercial corridor but is nearby other residential uses. The proposed use will be an asset to the neighborhood as it will provide services to those in need.

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

The proposed use is consistent with the City's LiveEarnPlayLearn Master Plan by meeting Live Goal 1: Build Human and Social Capital By Strengthening Neighborhoods. The proposed facility will strengthen the neighborhood and the City by providing important services to those in need.

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

This proposed development is consistent with the Jonestown Urban Renewal Plan.

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

The use is consistent with the standards and requirements of § 14-334, which governs residential care facilities.

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

The authorization is in harmony with the purposes of the Code set forth in Art. 32, §§ 2-101(2) ("to promote and protect public health, welfare, and quality of life for current and future generations") and 2-101(6) ("to preserve and enhance the value of structures, communities, and neighborhoods").

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

The proposed use is supported by the local community.

SOURCE OF FINDINGS (Check all that apply):

Planning Report

Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Ivor Quashie, Department of Planning
- Mr. Tyrell Dixon, Department of Housing and Community Development
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Michael Castagnola, Department of Transportation
- Mr. Taylor LaFave, Parking Authority of Baltimore City
- Ms. Christina Moore, Baltimore Development Corporation
- Ms. Caroline Hecker, Esquire, Representative for the Applicant

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

- Baltimore City Planning Commission, Agency Report – Submitted: 11/2/2018
- Department of Planning – Staff Report – Dated: 11/1/2018

- Department of Transportation, Agency Report – Dated: 10/2/2018
- Board of Municipal Zoning Appeals, Agency Report – Dated: 1/7/2019

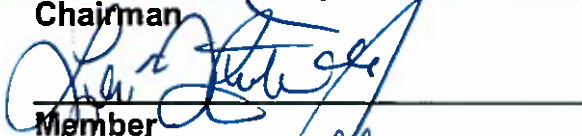
- Parking Authority of Baltimore City, Agency Report – Dated: 10/22/2018
- Department of Housing and Community Development, Agency Report – Dated: 12/27/2018
- Baltimore Development Corporation, Agency Report – Dated: 10/2/18
- Ms. Caroline Hecker, Letter from Mr. Joseph M. Cronyn, President, Jonestown Planning Council – Dated: June 6, 2018

LAND USE AND TRANSPORTATION COMMITTEE:



Chairman

_____ **Member**



Member

_____ **Member**



Member

_____ **Member**



Member

_____ **Member**

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

City Council Bill No. 18-0290

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

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE: AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO Article 32, Section 5-308 of the Baltimore City Code, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A VARIANCE FOR BULK AND YARD REGULATIONS FOR REAR YARD SETBACK AND BUILDING HEIGHT AND AN ALLOWANCE FOR OFF-STREET PARKING.

ADOPTED

(1) Uniqueness

The following characteristics of the land or structure are different than neighboring properties in the same zoning classification: *(Possible examples include: particular physical surroundings, topographical conditions, irregularity of shape, slope, grade, narrowness, shallowness, accessibility, subsurface conditions, obstructions, historical significance)*

The location of the MTA easement is unique to this Property and is not generally applicable to other properties in the C-2 zoning district. Due to the location of the easement, the building must be set back significantly from the front property line which, in turn, requires the building to be located closer to the rear property line than would otherwise be permitted. Likewise, due to the size of the site and the fact that the building cannot be located on the portion of the Property that is encumbered by the easement, the building must be taller than would otherwise be allowed in order to accommodate the proposed program. Finally, most other commercially zoned properties have street access on more than one side, which allows greater flexibility in designing the site to provide appropriate ingress and egress.

(2) Unnecessary hardship or practical difficulty

- (i) Due to the characteristics described above, enforcing the rear yard setback, building height and off-street parking restrictions would cause a disproportionate impact on the property as compared to other neighboring properties, resulting in an unnecessary hardship or practical difficulty because:

The unnecessary hardship is created by the dimensions of the site. The McKim Park is directly behind the site and the location of the MTA easement and the fact that the



1997

Property only has street frontage on one street, and is not due to the intentional action or inaction of any person who has a present interest in the Property.

(ii) This impact would be unnecessarily burdensome OR would unreasonably prevent the applicant from using the property for a permitted purpose (describe):

(3) The hardship/difficulty is not self-imposed

As described below, the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property:

The unnecessary hardship is created by the dimensions of the site. The McKim Park is directly behind the site and the location of the MTA easement and the fact that the Property only has street frontage on one street, and is not due to the intentional action or inaction of any person who has a present interest in the Property.

(4) Substantial justice to applicant and nearby owners

Granting the variance will do substantial justice to the applicant and nearby owners because:

The proposed project could not be constructed without the requested variances, which are the minimum necessary to afford relief.

OR

The following lesser form of relief would ensure justice because:

(5) Impact of variance on profitability of the property

The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property, rather, an additional purpose is to:

The purpose of the requested variances is to permit the construction of a women and children's facility to serve women and children experiencing homelessness, poverty and addiction. It will be operated by a nonprofit entity that is not motivated by a desire to develop the Property for income-producing purposes.

(6) Impact on neighboring properties

The variance will not be injurious to the use and enjoyment of other property in the immediate vicinity or substantially diminish and impair property values in the neighborhood for the following reasons:

This project will improve the use and enjoyment of other property in the immediate vicinity and increase property values as it will bring life to currently vacant and unattractive properties. Based on the applicant's experience operating a men's facility nearby, it is not expected that the proposed use will have any adverse impact on the neighborhood. The height and massing of the proposed structure, including the proposed variances, have been approved by the Commission for Historic and Architectural Preservation (*CHAP*).

(7) Consistency with the Spirit of the Zoning Code

Granting the variance is in harmony with the purpose and intent of this Code in the following ways:

The variances are consistent with the stated purpose of the Zoning Code to "promote and protect public health, welfare, and quality of life for current and future generations" by providing important services to improve the quality of life for City residents.

(8) Impact on other City Plans

The variance **IS / IS NOT** precluded by and **WILL / WILL NOT** adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District.

The Property is not located in an Urban Renewal Area. The project is consistent with the City's LiveEarnPlayLearn Master Plan as it will promote LIVE Goal #1, "building human and social capital by strengthening neighborhoods," and LIVE Goal #2", elevate the design and quality of the City's Built Environment." CHAP has approved the proposed design of the structure, including the proposed variances.

(9) Public Health, Safety, Welfare etc.

The variance **WILL / WILL NOT** adversely affect/endanger the public health, safety, or welfare; or be in any way contrary to the public interest.

The setback, height, and parking variances are not anticipated to have any such adverse effects. The project is supported by the local community organizations.

SOURCE OF FINDINGS (Check all that apply):

- Planning Report - The findings listed above have been transferred from the Department of Planning Staff Report dated: November 1, 2018.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Ivor Quashie, Department of Planning
- Mr. Tyrell Dixon, Department of Housing and Community Development
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Michael Castagnola, Department of Transportation
- Mr. Taylor LaFave, Parking Authority of Baltimore City
- Ms. Christina Moore, Baltimore Development Corporation
- Ms. Caroline Hecker, Esquire, Representative for the Applicant

Written:

- Baltimore City Planning Commission, Agency Report – Submitted: 11/2/2018
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- Board of Municipal Zoning Appeals, Agency Report – Dated: 1/7/2019

- Parking Authority of Baltimore City, Agency Report – Dated: 10/22/2018
- Department of Housing and Community Development, Agency Report – Dated: 12/27/2018
- Baltimore Development Corporation, Agency Report – Dated: 10/2/18
- Ms. Caroline Hecker, Letter from Mr. Joseph M. Cronyn, President, Jonestown Planning Council – Dated: June 6, 2018

LAND USE AND TRANSPORTATION COMMITTEE:

 Chairman	_____
 Member	_____
 Member	_____
 Member	_____



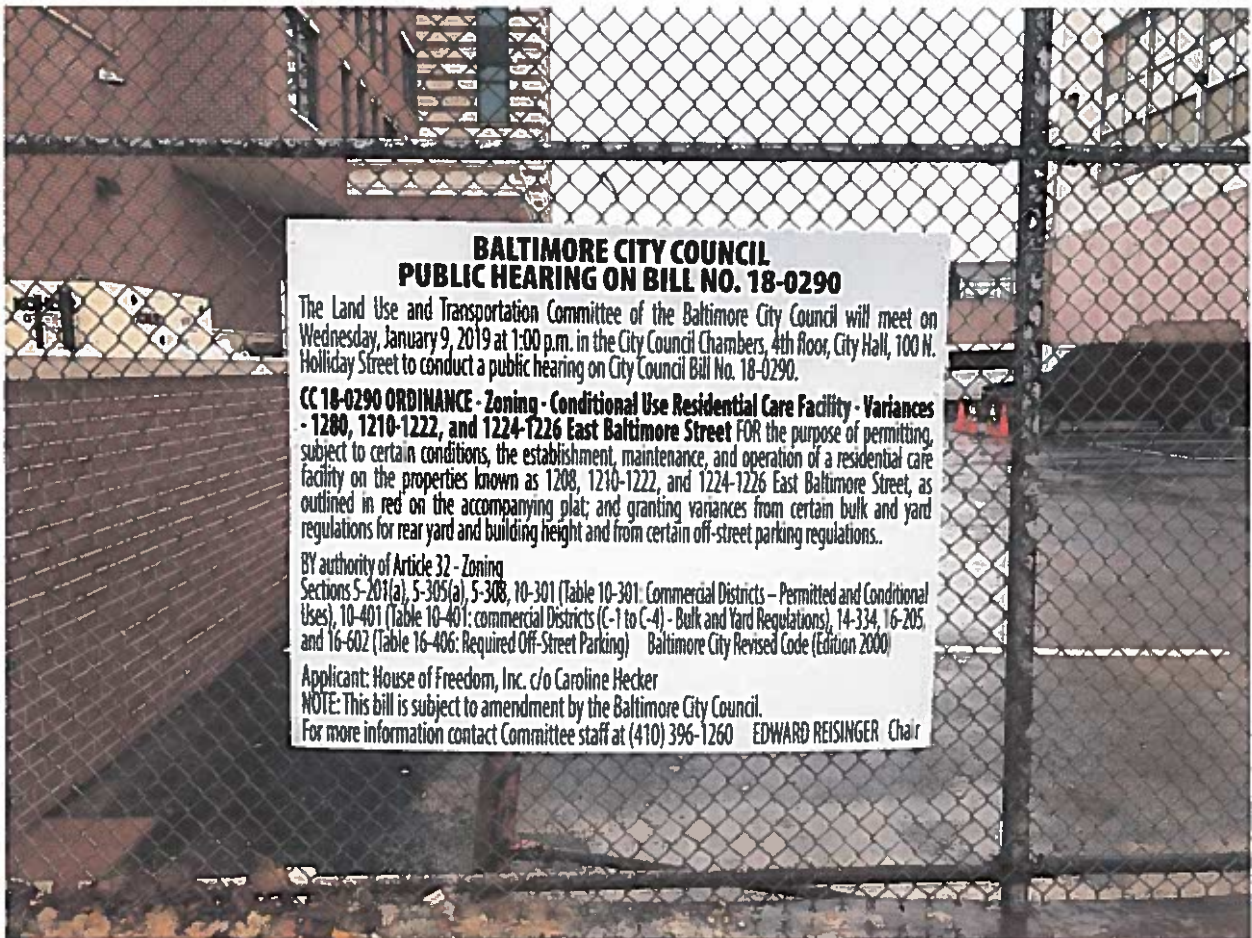
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Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 18-0290

Today's Date: [12/26/2018]

(Place a picture of the posted sign in the picture box below.)



Address: 1210-1222, 1224-1226 East Baltimore Street

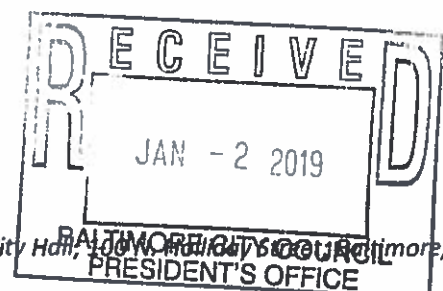
Date Posted: 12/16/2018

Name: Martin Ogle

Address: 9912 Maidbrook Rd.

Telephone: 443-629-3411

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall, 100 N. Holliday Street, Baltimore, MD 21202



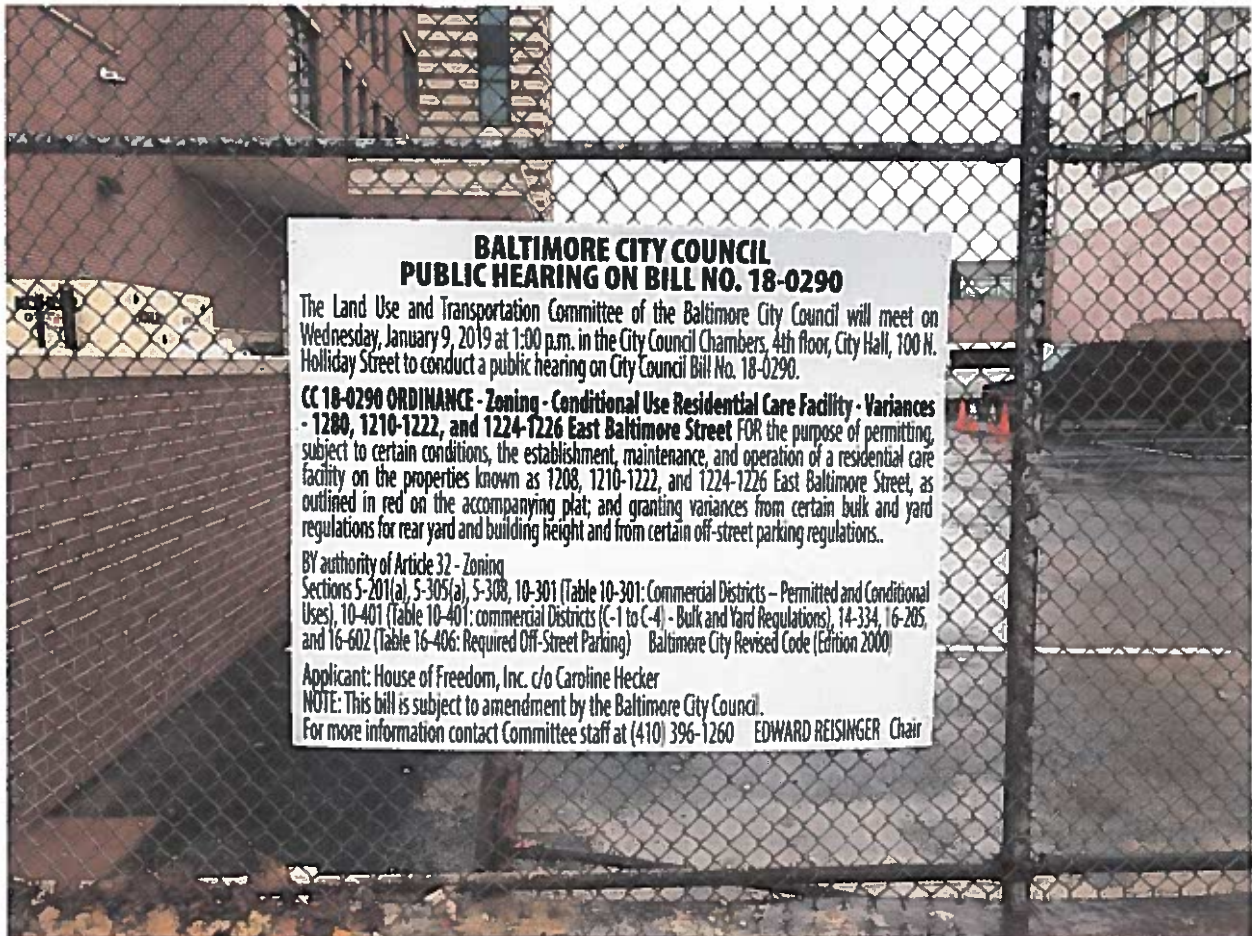


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Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 18-0290

Today's Date: [12/26/2018]

(Place a picture of the posted sign in the picture box below.)



Address: 1210-1222, 1224-1226 East Baltimore Street


Date Posted:12/16/2018

Name: Martin Ogle

Address: 9912 Maidbrook Rd.

Telephone: 443-629-3411

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

FROM	NAME & TITLE	Laurie Feinberg, Acting Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #18-0290/ CONDITIONAL USE- RESIDENTIAL CARE FACILITY - VARIANCES - 1208, 1210-1222, and 1224-1226 EAST BALTIMORE STREET		

DATE:

TO

At its regular meeting of November 1, 2018, the Planning Commission considered City Council Bill #18-0290, for the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #18-0290 and adopted the following resolution; eight members being present eight in favor.

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #18-0290 be passed by the City Council.

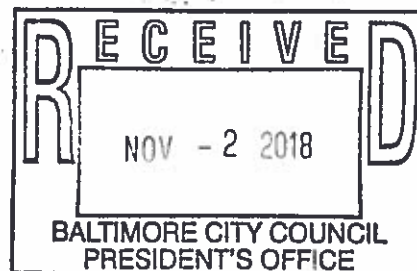
If you have any questions, please contact Mr. Ivor Quashie, at 410-396-1539.

LF/iaq

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
 Mr. Kyron Banks, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to Planning Commission
 The Honorable Robert Stokes Sr., Councilman, 12th District
 Mr. William H. Cole IV, BDC
 Mr. Derek Baumgardner, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Sharon Daboin, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Mr. Josh Taylor, DOT
 Ms. Natawna Austin, Council Services
 Mr. Ervin Bishop, Council Services
 Ms. Caroline Hecker, Rosenberg, Martin, Greenberg LLP

Favorable





*Catherine E. Pugh
Mayor*

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



*Laurie R. Feinberg
Acting Director*

November 1, 2018

REQUEST: City Council Bill 18-0290/ Zoning – Conditional Use Residential Care Facility – Variances - 1208, 1210-1222, and 1224-1226 East Baltimore Street

For the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

RECOMMENDATION: Approval

STAFF: Ivor Quashie

PETITIONERS: Councilmember Robert Stokes Sr.

OWNER: House of Freedom Inc.

SITE/ GENERAL AREA

Site Conditions: 1208 East Baltimore Street is located in the middle of the 1200 block of East Baltimore Street. The property is in property is in the Jonestown local historic district and the Jonestown Urban Renewal Plan. The site is bounded by East Fayette Street to the north, Asquith Street to the west, North Central Avenue to the east. This property is currently improved with a four-story vacant building. The site is zoned C-2.

General Area: The area is comprised of a high concentration of commercial buildings in the immediate area and residential buildings.

HISTORY

This property is in the Jonestown historic district that was established by Ordinance #02-0901 on July 11, 2002. This property is also in the Jonestown Urban Renewal Plan area established by Ordinance #909 on December 14, 1978.

ANALYSIS

Background: The proposal is to consolidate the three lots, demolish the existing building and construct a Residential Care Facility for more than 17 residents. There will be a total of 260 beds, of which 220 will be for women and 40 will be for children. The proposed building will be seven stories and will have two levels of underground parking.

- The Zoning Code requires a rear yard setback of 20 feet in commercial districts (C-1 to C-4). (§ 10-401 (Table 10-401)). The applicant is requesting a setback of 5 feet in lieu of the 20 feet. A variance of this requirement is therefore included in this bill.
- The Zoning Code requires a maximum height of 60 feet as specified in § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations). The applicant is requesting a variance to permit a building height of 97.5 feet. A variance of this requirement is therefore included in this bill.
- The Zoning Code prohibits a project from providing more than double the number of parking spaces (Section 16-205). Eight spaces are required. The applicant is proposing 73 spaces to accommodate for the 30 employees on the peak shift and additional spaces for volunteers.

Planning staff reviewed §5-406(a) {"Required considerations"} of Article 32 – *Zoning*, and finds that the proposed use meets these additional criteria for approval of a conditional use:

- (1) The establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental or endanger the public health, safety or welfare;**

The establishment of the proposed residential care facility at the Property will not be detrimental to or endanger the public health safety or welfare. Helping Up Mission currently operates a men’s facility nearby at 1029 E. Baltimore Street, which has provided addiction recovery and outreach services to men experiencing homelessness, poverty, and/or addiction for over 100 years. The proposed facility will expand their offerings to up to 260 women and their children, and has been well received by the community.

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

The proposed use of the Property as a residential care facility is not precluded by any other law, and the Property is located in an Urban Renewal Area.

- (3) The authorization would not be contrary to the public interest; and**

The authorization of the conditional use is in the public interest as it is supported by the local community.

- (4) The authorization would be in harmony with the purpose and intent of this Code.**

The authorization is in harmony with the purposes of the Code set forth in Art. 32, §§ 2-101(2) (“to promote and protect public health, welfare, and quality of life for current and future generations”) and 2-101(6) (“to preserve and enhance the value of structures, communities, and neighborhoods”). Not only will this project permit the redevelopment of an underutilized site, it will permit the establishment of a program to serve women and children experiencing homelessness, poverty, and addiction.

In addition, the Council must consider the following factors under § 5-406(b), where appropriate:

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

The existing structures on the Property will be demolished, and a new, state-of-the-art structure will be constructed in its place. The new structure has been designed to most efficiently and appropriately serve the needs of the program.

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

The proposed use will have no impact on traffic patterns. A variance is requested from §§ 16-205 and 16-602 to permit off-street parking in excess of the number of required spaces. Off-street parking for the proposed use is calculated based on the number of employees, with one space required per four employees at the peak shift. (As residents of the facility are not permitted to have vehicles, no off-street parking is required for the residents.) It is anticipated that approximately 40 employees will be on site during the peak shift, in addition to approximately 35-40 volunteers. Based on the number of employees, only 10 parking spaces would be required. Approximately 73 parking spaces are proposed in the garage on site to accommodate the proposed number of employees and volunteers.

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

The Property is located along the commercial Baltimore Street corridor, and is located adjacent to the new Ronald McDonald House. The proposed use demonstrates a substantial investment in the neighborhood and will provide necessary services to local residents. Based on Helping Up Mission's experience at the nearby men's facility, it is not anticipated that the proposed women and children's facility will impair present or future development of the surrounding area.

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

The Property is located near dwellings and places of public gathering, but based on Helping Up Mission's experience at the nearby men's facility, the proposed use will not have a negative impact on surrounding uses.

(5) Accessibility of the premises for emergency vehicles;

The proposed structure has been reviewed and approved by the Site Plan Review Committee, which includes representatives of the Fire Department. It will comply with all Fire Code requirements to ensure accessibility for emergency vehicles and personnel.

- (6) **Accessibility of light and air to the premises and to the property in the vicinity;**
The design of the proposed structure has been reviewed and approved by the Commission for Historic and Architectural Preservation, and is appropriate in size and scale for the neighborhood.
- (7) **The type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;**
There are adequate utilities, roads, drainage, and other necessary facilities for the proposed use.
- (8) **The preservation of cultural and historic landmarks and structures;**
Not applicable.
- (9) **The character of the neighborhood;**
The Property is located along the Baltimore Street commercial corridor but is nearby other residential uses. The proposed use will be an asset to the neighborhood as it will provide services to those in need.
- (10) **The provisions of the City's Comprehensive Master Plan;**
The proposed use is consistent with the City's LiveEarnPlayLearn Master Plan by meeting Live Goal 1: Build Human and Social Capital By Strengthening Neighborhoods. The proposed facility will strengthen the neighborhood and the City by providing important services to those in need.
- (11) **The provisions of any applicable Urban Renewal Plan.**
This proposed development is consistent with the Jonestown Urban Renewal Plan
- (12) **All applicable standards and requirements of this Code;**
The use is consistent with the standards and requirements of § 14-334, which governs residential care facilities.
- (13) **The intent and purpose of this Code; and**
The authorization is in harmony with the purposes of the Code set forth in Art. 32, §§ 2-101(2) ("to promote and protect public health, welfare, and quality of life for current and future generations") and 2-101(6) ("to preserve and enhance the value of structures, communities, and neighborhoods").
- (14) **Any other matters considered to be in the interest of the general welfare**
The proposed use is supported by the local community.

In addition, CCB #18-0290 authorizes variances to the rear yard setback, height, and off-street parking requirements of the Code. In order to approve the requested variances, the City Council must find that, because of the particular physical surroundings, shape or topographic conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty would result if the applicable requirement were carried out. § 5-308(a). Here, the site is unique due to

the location of an MTA easement for the subway which runs through the front of the Property, as well as the fact that the Property only has street frontage on one side. These unique factors create practical difficulties in designing the site that require the requested variances. In order to grant a variance, the Council must also find that (§ 5-308(b)):

a. The conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification.

i. The location of the MTA easement is unique to this Property and is not generally applicable to other properties in the C-2 zoning district. Due to the location of the easement, the building must be set back significantly from the front property line which, in turn, requires the building to be located closer to the rear property line than would otherwise be permitted. Likewise, due to the size of the site and the fact that the building cannot be located on the portion of the Property that is encumbered by the easement, the building must be taller than would otherwise be allowed in order to accommodate the proposed program. Finally, most other commercially zoned properties have street access on more than one side, which allows greater flexibility in designing the site to provide appropriate ingress and egress.

b. The unnecessary hardship or practical difficulty is caused by the Zoning Code and has not been created by the intentional action or inaction of any person who has a present interest in the property.

The unnecessary hardship is created by the dimensions of the site. The McKim Park is directly behind the site and the location of the MTA easement and the fact that the Property only has street frontage on one street, and is not due to the intentional action or inaction of any person who has a present interest in the Property.

c. The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property.

The purpose of the requested variances is to permit the construction of a women and children's facility to serve women and children experiencing homelessness, poverty and addiction. It will be operated by a nonprofit entity that is not motivated by a desire to develop the Property for income-producing purposes.

d. The variance will not: (1) be injurious to the use and enjoyment of other property in the immediate vicinity; or (2) substantially diminish and impair property values in the neighborhood.

This project will improve the use and enjoyment of other property in the immediate vicinity and increase property values as it will bring life to currently vacant and unattractive properties. Based on the applicant's experience operating a men's facility nearby, it is not expected that the proposed use will have any adverse impact on the neighborhood. The

height and massing of the proposed structure, including the proposed variances, have been approved by the Commission for Historic and Architectural Preservation.

e. The variance is in harmony with the purpose and intent of the Zoning Code.
The variances are consistent with the stated purpose of the Zoning Code to “promote and protect public health, welfare, and quality of life for current and future generations” by providing important services to improve the quality of life for City residents.

f. The variance is not precluded by and will not adversely affect: (1) any Urban Renewal Plan; (2) the City’s Master Plan; or (3) any Historical and Architectural Preservation District

The Property is not located in an Urban Renewal Area.

The project is consistent with the City’s LiveEarnPlayLearn Master Plan as it will promote LIVE Goal #1, “building human and social capital by strengthening neighborhoods,” and LIVE Goal #2”, elevate the design and quality of the City’s Built Environment.”

CHAP has approved the proposed design of the structure, including the proposed variances.

g. The variance will not otherwise: (1) be detrimental to or endanger the public health, security, general welfare or morals, or (2) in any way be contrary to the public interest.

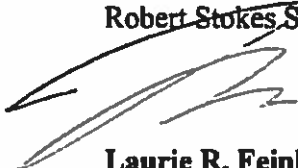
The setback, height, and parking variances are not anticipated to have any such adverse effects.

The project is supported by the local community organizations.

h. Within the purpose and intent of the Zoning Code, the variance is the minimum necessary to afford relief.

i. The proposed project could not be constructed without the requested variances, which are the minimum necessary to afford relief.

Notifications: In advance of this hearing, staff notified Jonestown Planning Council, Inc., Albemarle Square Community Association, Albemarle Square Tenants’ Council and Councilman Robert Stokes Sf.



Laurie R. Feinberg
Acting Director



CITY OF BALTIMORE

CATHERINE E PUGH, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

January 7, 2019

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

**RE: CC Bill #18-0290 Zoning – Conditional Use Residential Care Facility
– Variances – 1208, 1210-1222, and 1224-1226 East Baltimore Street**

Ladies and Gentlemen:

City Council Bill No. 18-290 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

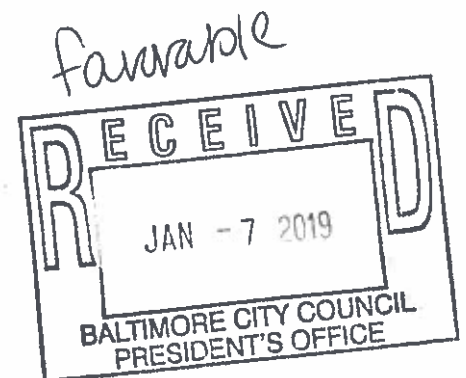
The purpose of City Council Bill No. 18-290 is to permit, subject to certain conditions, the establishment, maintenance, and operation of a residential care facility on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street, and grant variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.


The BMZA has reviewed the legislation and recommends approval of CC Bill. 18-290.

Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayors Office of Council Relations
City Council President
Legislative Reference



FROM	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 18-0290		

TO Mayor Catherine E. Pugh

DATE: 10/2/18

TO: Respective City Council Land Use and Transportation Committee
 FROM: Department of Transportation
 POSITION: Support
 RE: Council Bill – 18-0290

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

PURPOSE/PLANS – For the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

AGENCY/DEPARTMENT POSITION –
 The Department of Transportation Supports City Council 18-0290.

If you have any questions, please do not hesitate to contact Josh Taylor at josh.taylor@baltimorecity.gov, 443-604-3352.

Sincerely,



Michelle Pourciau
 Director



CITY OF BALTIMORE

CATHERINE L. PUGH, Mayor



DEPARTMENT OF LAW

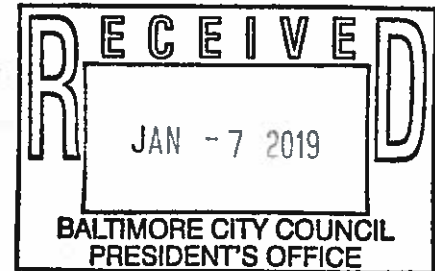
ANDRE M. DAVIS, CITY SOLICITOR
100 N. Holliday Street
Suite 101, City Hall
Baltimore, Maryland 21202

January 4, 2019

Honorable President and Members
of the City Council of Baltimore
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Attn: Natawna B. Austin,
Executive Secretary

favorable with comm



Re: City Council Bill 18-0290 – Zoning – Conditional Use Residential Care Facility – Variances – 1208, 1210-1222 and 1224-1226 East Baltimore St.

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 18-0290 for form and legal sufficiency. The bill permits, subject to certain conditions, the establishment, maintenance and operation of a residential care facility. The bill also seeks variances from the requirements for rear yard setback, maximum building height and number of parking spaces.

Under the Zoning Article of the City Code, a residential care facility in a C-2 District requires conditional-use approval by ordinance. Baltimore City Code (BCC), Art. 32, § 10-301 and Table 10-301. Further, approval of a conditional use must be based on the following findings:

(1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare; (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan; (3) the authorization would not be contrary to the public interest; and (4) the authorization would be in harmony with the purpose and intent of this Code.

§ 5-406(a). Moreover, the above findings must be guided by 14 “considerations” involving, for example, such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development,” “the character of the neighborhood,” and “the resulting traffic patterns and adequacy of proposed off-street parking.” § 5-406(b).

The bill also contains variances for gross floor area for the proposed structure for rear yard setback, building height and off-street parking. To grant a variance, the City Council must find that, because of the particular physical surroundings, shape, or topographical conditions of the

specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out. § 5-308(a). The City Council must also find that:

(1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification; (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property; (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property; (4) the variance will not: (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or (ii) substantially diminish and impair property values in the neighborhood; (5) the variance is in harmony with the purpose and intent of this Code; (6) the variance is not precluded by and will not adversely affect: (i) any Urban Renewal Plan; (ii) the City's Comprehensive Master Plan; or (iii) any Historical and Architectural Preservation District; and (7) the variance will not otherwise: (i) be detrimental to or endanger the public health, safety, or welfare; or (ii) be in any way contrary to the public interest. § 5-308(b).

The Land Use and Transportation Committee (the "Committee") must consider the above law at the scheduled public hearing wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Committee is required to make findings of fact with respect to the factors and considerations outlined above. If, after its investigation of the facts, the Committee makes findings which support the conditional use and the three variances sought, it may adopt these findings and the legal requirements will be met.

The Planning Staff Report ("Report") outlines the portions of the Zoning Article applicable to conditional uses (§ 5-406(a) and (b)) and makes favorable findings regarding the Section 5-406(b) considerations. *See* Report at 2-4. The Report also states the facts which are the basis for the variance amendments noted in the Report. (*see* Report at 4-6).

Finally, certain procedural requirements apply to this bill beyond those discussed above because both conditional uses and variances are considered "legislative authorizations." BCC Art. 32, § 5-501(2)(i) and (ii). Specifically, notice requirements apply to the bill, and the bill must be referred to certain City agencies which are obligated to review the bill in specified manner. §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council's ability to amend the bill apply. § 5-507.

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for conditional use and variances have been met. Provided appropriate amendments for the needed variances are offered and assuming the required

findings are made at the hearing and all procedural requirements are satisfied, the Law Department could approve the bill for form and legal sufficiency.

Sincerely,



Elena R. DiPietro
Chief Solicitor
Practice Group Chief

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Kyron Banks, Mayor's Legislative Liaison
Victor Tervalo, Chief Solicitor
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Avery Aisenstark, Legislative Reference



6-1-8



BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

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

From: Michael Braverman, Housing Commissioner

Date: December 27, 2018

Re: **City Council Bill 18-0290, Zoning – Conditional Use Residential Care Facility – Variances – 1208, 1210-1222, and 1224-1226 East Baltimore Street**

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0290, for the purpose of 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 and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

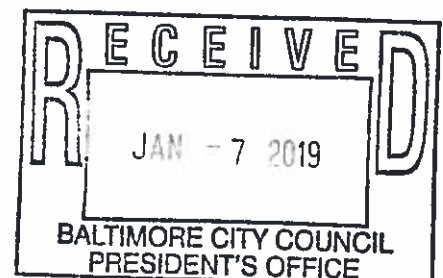
If enacted, this bill will approve zoning variances that are necessary for the construction of a new Helping Up Mission residential care facility. The proposal is to consolidate the three lots, demolish the existing buildings, and construct a new facility. The proposed facility will provide addiction recovery and outreach services to 260 women and children experiencing homelessness, poverty and/or addiction. The required variances pertain to the rear yard setback length, maximum building height, and the number of parking spaces. A Planning Commission report issued on November 1, 2018 found that these variances will have no adverse effects on the surrounding community.

HCD supports the passage of City Council Bill 18-0290.

MB:td

cc: Mr. Kyrn Banks, *Mayor's Office of Government Relations*

favorable



TRANSMITTAL MEMO

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



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.

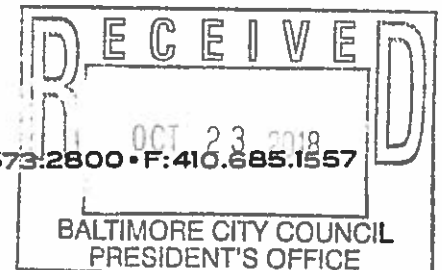
The purpose of this bill is for permitting, subject to certain conditions, the establishment, maintenance, and operation of a residential care facility on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street.

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.

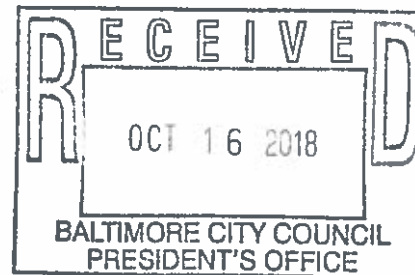
Based on the comments above, the PABC does not oppose the passage of City Council Bill 18-0290.

Not opposed





Favorable



MEMORANDUM

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

FROM: William H. Cole, President and CEO *[Signature]*

DATE: October 2, 2018


SUBJECT: City Council Bill No. 18-0290
Zoning – Conditional Use Residential Care Facility – Variances – 1208, 1210-1222,
and 1224-1226 East Baltimore Street

The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 18-0290, an ordinance for the purpose of 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 and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

This proposed project is an expansion of the Helping Up Mission to include a new residential facility for homeless women with children (known as Freedom House), and is the latest contribution to the revitalization of Historic Jonestown in line with the *Jonestown Vision Plan*. To date, BDC has been actively involved in several projects on this block of East Baltimore Street; including the newly constructed Ronald McDonald House, the reconstruction of McKim Park, and the extensive renovation of the former Hendler Creamery building. Expansion of the Helping Up Mission is a welcome addition to the continued progress in the corridor.

BDC supports the proposed ordinance and is respectfully requesting that Bill No. 18-0290 be given favorable consideration by the City Council.

cc: Kyron Banks

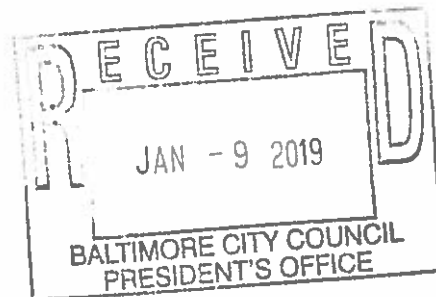
F R O M	Name & Title	Mary Beth Haller, Esq., Interim Commissioner	Health Department AGENCY REPORT	
	Agency Name & Address	Health Department 1001 E. Fayette Street Baltimore, Maryland 21201		
	Subject: Position:	CC #18-0290 NO OBJECTIONS		

To: President and Members
of the City Council
c/o 409 City Hall

January 9, 2018

The Baltimore City Health Department (BCHD) is pleased to have the opportunity to review Council Bill #18-0290, entitled, "Zoning - Conditional Use Residential Care Facility - Variances - 1208, 1210-1222, and 1224-1226 East Baltimore Street." This legislation would allow for a zoning variance on a particular plot to allow for a residential care facility.

BCHD does not oversee the operations of residential care facilities like the one proposed by House of Freedom, Inc. However, as noted by the Centers for Disease Control, "[h]omelessness is closely connected to declines in physical and mental health; homeless persons experience high rates of health problems such as HIV infection, alcohol and drug abuse [now understood as substance use disorders], mental illness, tuberculosis, and other conditions."¹ Therefore, the Baltimore City Health Department has no objections to Council Bill #18-0290.



¹ "Public Health Professionals Gateway." Centers for Disease Control and Prevention, Centers for Disease Control and Prevention, 2 Mar. 2017, www.cdc.gov/phlp/publications/topic/resources/resources-homelessness.html.

No obj.



**Jonestown Planning Council
120 N. Front Street
Baltimore, MD 21202**

June 6, 2018

Mr. Tom Liebel, CHAP Chairman
City of Baltimore
Department of Planning, Commission for Historic and Architectural Preservation
417 East Fayette Street, 8th Floor
Baltimore, MD 21202

**Subject: Helping Up Mission—1208-1226 E. Baltimore Street
Jonestown Historic District**

Dear Mr. Liebel:

Helping Up Mission (HUM) met with the Jonestown Planning Council membership on June 5th to explain the proposed new construction building at 1208-1226 E. Baltimore Street to accommodate HUM's much-needed women's and children's programs on the site.

The Jonestown Historic District Architectural Review Committee and the membership of the Jonestown Planning Council are of the opinion that the scale, form and finishes of the building are consistent with those of the other structures now being built along the north side of Baltimore Street—in particular, Ronald McDonald House and the Hendler Creamery. In our opinion, the new structures are compatible with the character of our historic district.

We support the Helping Up Mission in its plans to build a substantial new building on the property. If you have questions, please contact me at the Jonestown Planning Council.

Sincerely,
JONESTOWN PLANNING COUNCIL

Joseph M. Cronyn

Joseph M. Cronyn
President

cc: Walter Gallas
Bob Gehman

received
1-9-19 JAC



hevinan

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, January 9, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0290

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 6 - Member Edward Reisinger, Member Mary Pat Clarke, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.
- Absent** 1 - Member Sharon Green Middleton

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0290

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

For the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

Sponsors: Robert Stokes, Sr., President Young

A motion was made by Member Stokes, seconded by Member Clarke, that this bill be recommended favorable. The motion carried by the following vote:

- Yes:** 6 - Member Reisinger, Member Clarke, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.
- Absent:** 1 - Member Middleton

ADJOURNMENT



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: 18-0290

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

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

Hearing Date: January 9, 2019
Time (Beginning): 1:00 PM
Time (Ending): 1:12 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~30
Committee Members in Attendance:
Reisinger, Edward, Chairman
Clarke, Mary Pat
Costello, Eric
Dorsey, Ryan
Pinkett, Leon
Stokes, Robert

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [X] yes [] no [] n/a
Certification of advertising/posting notices in the file? [X] yes [] no [] n/a
Evidence of notification to property owners? [X] yes [] no [] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Stokes
Seconded by: Councilmember Clarke
Final Vote: Favorable

Major Speakers
(This is not an attendance record.)

- Mr. Ivor Quashie, Department of Planning
 - Mr. Michael Castagnola, Department of Transportation
 - Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
 - Mr. Kyron Banks, Office of the Mayor
 - Ms. Eleana DiPietro, Department of Law
 - Ms. Tyrell Dixon, Department of Housing and Community Development
 - Ms. Christina Moore, Baltimore Development Corporation
 - Mr. D'Paul Nibber, Health
 - Mr. Taylor LaFave, Parking Authority of Baltimore City
 - Ms. Caroline Hecker, Esquire, representative for the applicant
-

Major Issues Discussed

1. Councilman Reisinger introduced committee members and read the bill's title, purpose and public notice report.
 2. Councilman Stokes provided background information about Helping Up Mission's project for the site. He applauded the organization for reaching out to help the needy and for providing resource to Baltimore residents.
 3. Mr. Ivor Quashie presented the Planning Commission's findings and recommendations and information from the Department of Planning's staff report. He provided background information about the development project. He provided information in support of the need for the conditional use and variances for the rear yard setback, building height and off-street parking. There is an existing building on the site comprised of three lots. The existing building will be raised and a 260-bed residential care facility will be constructed. Community associations were contacted.
 4. Councilman Dorsey inquired about whether there were underground parking spaces. Mr. Quashie indicated that all of the parking would be underground.
 5. Councilwoman Clarke inquired about the nature of the housing (i.e. would it be temporary housing and/or how would the beds be used). Mr. Quashie emphasized that the beds were for homeless women in recovery and their children. The housing program would also provide additional resource.
 6. Agency representatives testified in support of their respective agency's position on the bill.
 7. Ms. Caroline Hecker provided general information about the development project, who would be living at the facility and the facility's program and operations. She emphasized that wrap-around services would be provided. Ms. Hecker presented to the committee a letter of support from the Jonestown Planning Council.
 8. The committee voted to accept the findings.
 9. The committee voted to recommend the bill favorable.
 10. The hearing was adjourned.
-

Further Study

**Was further study requested?
If yes, describe.**

Yes No

Committee Vote:

Reisinger, Edward, Chairman..... **Yea**
Middleton, Sharon, Vice Chair..... **Absent**
Clarke, Mary Pat **Yea**
Costello, Eric **Yea**
Dorsey, Ryan **Yea**
Pinkett, Leon..... **Yea**
Stokes, Robert:..... **Yea**

Jennifer L. Coates, Committee Staff



Date: January 10, 2018

cc: Bill File
OCS Chrono File



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation Chairperson: Edward Reisinger
 Date: January 9, 2018 Time: 1:00 PM Place: Clarence "Du" Burns Chambers
 Subject: Ordinance - Zoning - Conditional Use Residential Care Facility - Variances - 1208, 1210-1222, and 1224-1226 CC Bill Number: 18-0290
 East Baltimore Street

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO	WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
STEVEN	GUDENMAN	1017	E. BALTO. ST.	21202	SGUDENMAN@HOTMAIL.COM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Chashric	Moore	36	S. Charles St (BDC)	21201	cmoore@baltime.gov	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Caroline	Heller	25	S. Charles	21205	cheller@verizon.net	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Tyrell	Dicker		4CD			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, January 9, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

18-0290

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0290

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

For the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

Sponsors:

Robert Stokes, Sr., President Young

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



**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 Reisinger
Chairperson**

PUBLIC HEARING

Wednesday, January 9, 2019

1:00 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 18-0290

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

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

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

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

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



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 18-0290

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

Sponsor: Councilmember Stokes , President Bernard C. "Jack" Young
Introduced: September 17, 2018

Purpose:

For the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: January 9, 2019 /1:00 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	
Department of Transportation	Favorable
Department of Law	
Department of Housing and Community Development	
Baltimore Development Corporation	Favorable
Health Department	
Parking Authority of Baltimore City	Not Opposed

Analysis

Current Law

Article 32- Zoning; Sections 5-201(a), 5-305(a), 5-308, 10-301 (Table 10-301: Commercial Districts – Permitted and Conditional Uses), 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations), 14-334, 16-205, and 16-602 (Table 16-406: Required Off-Street Parking); Baltimore City Revised Code (Edition 2000)

Background

Residential-Care Facilities are a conditional use by ordinance in the Commercial C-2 Zoning District. If approved, Bill 18-0290 would authorize the establishment, maintenance, and operation of a Residential Care Facility on the properties (three lots) known as 1208, 1210-1222, and 1224-1226 East Baltimore Street. The bill would also grant variances from the requirements for:

- a rear-yard setback of 5 feet, in lieu of the required 20 feet
- the maximum building height regulation of 60 feet to permit a building height of 97.5 feet
- off-street parking in excess of double the number of required spaces. Eight (8) spaces are required. The applicant is proposing to create 73 off-street parking spaces.

The properties are situated in the Jonestown local historic district and the Jonestown Urban Renewal Plan area. The 1200 block of East Baltimore Street is bounded by East Fayette Street to the north, Asquith Street to the west, North Central Avenue to the east. The properties are zoned C-2 and are situated near a high concentration of commercial buildings in the immediate area and also residential buildings. MTA has an easement for the subway that runs through the front of the property. To the west of the properties, on an adjacent lot, Ronald McDonald House Charities, Inc. has plans for a six story *Ronald McDonald House of Baltimore* with underground parking.

House of Freedom, Inc., the applicant, owns the properties. The project is an expansion of the Helping Up Mission, which provides addiction and homeless services. The applicant intends to consolidate the three lots, demolish existing buildings and construct a 260 beds Residential Care Facility. The Commission for Historical and Architectural Preservation (CHAP) has reviewed plans for the structure. The new building will be seven stories and will have two levels of underground

parking. Two-hundred twenty (220) beds will be for women and forty (40) beds will be for children. Operation and programming includes employees and volunteers.

Variance – Minimum Rear Yard

According to *Table 10-401: Commercial District (C1 – C4) - Bulk and Yard Regulations*, in the C-2 Zoning District, a rear yard setback of 20 feet is required. The applicant is requesting a setback of 5 feet due to an MTA easement on the property.

Variance – Maximum Building Height

According to *Table 10-401: Commercial District (C1 – C4) - Bulk and Yard Regulations*, in the C-2 Zoning District, maximum building height allowed is 60 feet. The applicant is requesting a variance to permit a building height of 97.5 feet due to the size of the site and the fact that the building cannot be located on the portion of the property that is encumbered by an MTA easement.

Variance – Off-street Parking

According to *Article 32 – Zoning, Section 16-205 and Table 16-406: Required Off-Street Parking*, eight (8) off-street parking spaces are required. Although the Zoning Code (Section 16-205) does not prevent the voluntary establishment of additional off-street parking or loading facilities, it may not have off-street parking in excess of double the requirements. The applicant is proposing 73 parking spaces to accommodate 30 employees and additional volunteers.

Companion Bills and Amendments

There is no companion bill or amendments.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

Analysis by: Jennifer L. Coates
Analysis Date: January 3, 2019

Direct Inquiries to: (410) 396-1260

**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.

Council Bill 18-0290

1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 requirements of § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard
4 Regulations) for a rear yard setback of 5 feet, in lieu of the required 20 feet.

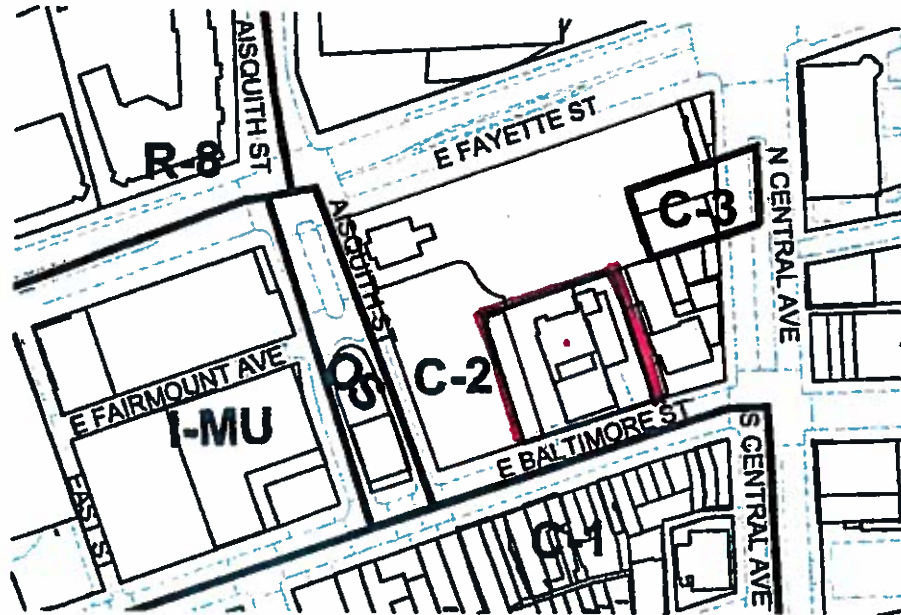
5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
6 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
7 maximum building height regulation of 60 feet as specified in § 10-401 (Table 10-401:
8 Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations) to permit a building height of
9 97.5 feet.

10 **SECTION 4. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
11 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
12 off-street parking requirements of §§ 16-205 and 16-602 (Table 16-406: Required Off-Street
13 Parking) to allow off-street parking in excess of double the number of required spaces.

14 **SECTION 5. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
15 accompanying plat and in order to give notice to the agencies that administer the City Zoning
16 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
17 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
18 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
19 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
20 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
21 the Zoning Administrator.

22 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
23 after the date it is enacted.

SHEET NO. 56 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE.



1 inch = 200 ft.

**CONDITIONAL USE: AREA OUTLINED IN RED TO BE USED FOR
A RESIDENTIAL CARE FACILITY (260 BEDS).**

No. 1208, 1210-1222 AND 1224-1226 E. BALTIMORE STREET

APPLICANT: HOUSE OF FREEDOM, INC.

WARD - 5 SECTION - 8 BLOCK - 1339 LOTS - 04-08

MAYOR

PRESIDENT CITY COUNCIL

**09-12-18
ALIZA S. HERTZMARK
COLBERT MATZ ROSENFELT**

LAND USE AND TRANSPORTATION COMMITTEE

BILL 18-0290

AGENCY REPORTS

Planning Commission	Favorable
Board of Municipal Zoning Appeals	
Department of Transportation	Favorable
Department of Law	
Department of Housing and Community Development	
Baltimore Development Corporation	Favorable
Health Department	
Parking Authority of Baltimore City	Not Opposed

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, November 20, 2018 10:35 AM
To: Caroline Hecker (checker@rosenbergmartin.com)
Cc: 'Stokes, Robert'; Austin, Natawna B.
Subject: Public Notice Instructions - Bill 18-0290 - REVISED
Attachments: PNI - Letter - 18-0290 - CU Residential Care Facility - VAR 1200 Blk E Baltimore St.docx; Sample - Certificate of Posting - Attachment C.docx; LU Form - Contacts for Sign Posting.docx

REVISED PUBLIC NOTICE INSTRUCTIONS

Ms. Hecker,

Please disregard the last email I sent to you today regarding the public notice instructions for Bill 18-0290. The year of the hearing was incorrect.

Attached are corrected documents.

Feel free to call me.



Jennifer L. Coates

*Senior Legislative Policy Analyst
Office of Council Services*

100 N. Holliday Street, Room 415
Baltimore, MD 21202

jennifer.coates@baltimorecity.gov

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

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This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.



• 7 •

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

TO: House of Freedom, Inc., c/o Mr. Caroline L. Hecker, Rosenberg Martin Greenberg

FROM: Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,
Baltimore City Council

Date: November 20, 2018

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – CONDITIONAL USE AND
VARIANCES

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

Bill: City Council Bill No. 18-0290

Date: Wednesday, January 9, 2019

Time: 1:00 p.m.

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

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

Article 32. Zoning § 5-602 – Major variances: Conditional uses.

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

Disclaimer. The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising from accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers

Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

Certification of Postings

Certification of the sign posting (*see example on Attachment C*), in duplicate, must be received four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary
Baltimore City Council
100 N. Holliday Street, Fourth Floor, Room 400
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Posting Deadline: ***December 19, 2018***
Certificate of Posting Due: ***January 3, 2019***

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff
Baltimore City Council
Land Use and Transportation Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY BY WEDNESDAY, DECEMBER 19, 2018, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 18-0290

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, January 9, 2019 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. 18-0290.

CC 18-0290 Ordinance - Zoning - Conditional Use Residential Care Facility - Variances - 1208, 1210-1222, and 1224-1226 East Baltimore Street

FOR the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations..

BY authority of Article 32 - Zoning
Sections 5-201(a), 5-305(a), 5-308, 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses), 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations), 14-334, 16-205, and 16-602 (Table 16-406: Required Off-Street Parking)
Baltimore City Revised Code
(Edition 2000)

Applicant: House of Freedom, Inc. c/o Caroline Hecker

For more information contact committee staff at (410) 396-1260.

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 SIGN POSTING TO:

Mr. Caroline L. Hecker, Esquire
Rosenberg Martin Greenberg, LLP
25 South Charles Street, Suite 21st Floor
Baltimore, MD 21201
410-7276600

**ZONING
SUBTITLE 6 - NOTICES**

ARTICLE 32, § 5-602

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

§ 5-602. Major variances; Conditional uses.

(a) *Hearing required.*

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be read.

(b) *Notice of hearing required.*

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

(c) *Contents of notice.*

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

(d) *Number and manner of posted notices.*

(1) The number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-

of-way, so that it is visible to passing pedestrians and motorists;

(iii) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and

(iv) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) *Timing of notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

(Ord. 16-581; Ord. 17-015.)

THE NOTICE OF HEARING SIGN(S) MUST BE MADE IN ACCORDANCE WITH THE RULES OF THE BALTIMORE CITY BOARD OF MUNICIPAL AND ZONING APPEALS AND ARTICLE 32 – ZONING, SECTION 5-602 (SEE ATTACHMENT B) WHICH CAN BE OBTAINED FROM THE FOLLOWING WEBSITES:

<https://zoning.baltimorecity.gov/>

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

SIGNS MAY BE OBTAINED FROM A VENDOR OF YOUR CHOICE OR ANY OF THOSE LISTED BELOW:

RICHARD HOFFMAN
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047
PHONE: (443) 243-7360
E-MAIL: DICK_E@COMCAST.NET

JAMES EARL REID
LA GRANDE VISION
5517 HADDON AVENUE
BALTIMORE, MARYLAND 21207
PHONE: (443) 722-2552
E-MAIL: JamesEarlReid@aol.com or JamesEarlReid@aim.com

SIGNS BY ANTHONY
ANTHONY L. GREENE
2815 TODKILL TRACE
EDGEWOOD, MD 21040
PHONE: 443-866-8717
FAX: 410-676-5446
E-MAIL: bones_malone@comcast.net

LINDA O'KEEFE
523 PENNY LANE
HUNT VALLEY, MD 21030
PHONE: 410-666-5366
CELL: 443-604-6431
E-MAIL: LUCKYLINDA1954@YAHOO.COM

This office is not associated with any of the above drafting companies, nor do we recommend any specific one.

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Baltimore City Council
Certificate of Posting - Public Hearing Notice

City Council Bill No.:

Today's Date: [Insert Here]

(Place a picture of the posted sign in the space below.)

Address:

Date Posted:

Name:

Address:

Telephone:

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

**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.

Council Bill 18-0290

1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
2 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
3 requirements of § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard
4 Regulations) for a rear yard setback of 5 feet, in lieu of the required 20 feet.

5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
6 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
7 maximum building height regulation of 60 feet as specified in § 10-401 (Table 10-401:
8 Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations) to permit a building height of
9 97.5 feet.

10 **SECTION 4. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
11 201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the
12 off-street parking requirements of §§ 16-205 and 16-602 (Table 16-406: Required Off-Street
13 Parking) to allow off-street parking in excess of double the number of required spaces.

14 **SECTION 5. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
15 accompanying plat and in order to give notice to the agencies that administer the City Zoning
16 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
17 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
18 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
19 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
20 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
21 the Zoning Administrator.

22 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
23 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY
9-13-18
DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Stokes
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

A BILL ENTITLED

AN ORDINANCE concerning

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

FOR the purpose of 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, as outlined in red on the accompanying plat; and granting variances from certain bulk and yard regulations for rear yard and building height and from certain off-street parking regulations.

BY authority of

Article 32- Zoning
Sections 5-201(a), 5-305(a), 5-308, 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses), 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations), 14-334, 16-205, and 16-602 (Table 16-406: Required Off-Street Parking)
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 residential care facility, with 260 beds, on the properties known as 1208, 1210-1222, and 1224-1226 East Baltimore Street, as outlined in red on the plat accompanying this Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a), 10-301 (Table 10-301: Commercial Districts - Permitted and Conditional Uses) and 14-334, subject to the condition that the residential care facility complies with all applicable federal, state, and local licensing and certification requirements.

SECTION 2. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the requirements of § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations) for a rear yard setback of 5 feet, in lieu of the required 20 feet.

SECTION 3. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

maximum building height regulation of 60 feet as specified in § 10-401 (Table 10-401: Commercial Districts (C-1 to C-4) - Bulk and Yard Regulations) to permit a building height of 97.5 feet.

SECTION 4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 5-308 of Article 32 - Zoning, permission is granted for a variance from the off-street parking requirements of §§16-205 and 16-602 (Table 16-406: Required Off-Street Parking) to allow off-street parking in excess of double the number of required spaces.

SECTION 5. 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 6. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

**STATEMENT OF INTENT
FOR**

Conditional Use –
1208, 1210-1222 and 1224-1226 E. Baltimore Street

1. Applicant's name, address and telephone number: House of Freedom, Inc. c/o Caroline L. Hecker, Rosenberg Martin Greenberg, LLP, 25 S. Charles Street, 21st Floor, (410) 727-6600
2. All proposed changes for the property: Conditional use as residential care facility with 260 beds, including rear yard, height and off-street parking variances
3. All intended use of the property: Residential care facility with 260 beds
4. Current owner's name, address, and telephone number:

<u>Address</u>	<u>Property Owner</u>	<u>Deed Reference</u>
1208 E. Baltimore Street	House of Freedom, Inc. 1029 E. Baltimore St. Baltimore, MD 21202	18409/363
1210 E. Baltimore Street	House of Freedom, Inc. 1029 E. Baltimore St. Baltimore, MD 21202	18409/363
1224 E. Baltimore Street	House of Freedom, Inc. 1029 E. Baltimore St. Baltimore, MD 21202	18409/363

5. The property was acquired by the current owner by deed recorded in the Land Records of Baltimore City in Liber ____ folio _____. [Please see above.]

6. (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 on the contract are {use additional sheet if necessary}:

N/A

(ii) The purpose, nature and effect of the contract are: N/A

7. (a) The applicant is ___ is not X 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 {use additional sheet if necessary}: N/A

AFFIDAVIT

I, Caroline L. Hecker, 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.

By: Caroline L. Hecker
Caroline L. Hecker, Authorized Agent

9/10/18
Date



1 inch = 200 ft.

**CONDITIONAL USE: AREA OUTLINED IN RED TO BE USED FOR
A RESIDENTIAL CARE FACILITY (260 BEDS).**

No. 1208, 1210-1222 AND 1224-1226 E. BALTIMORE STREET

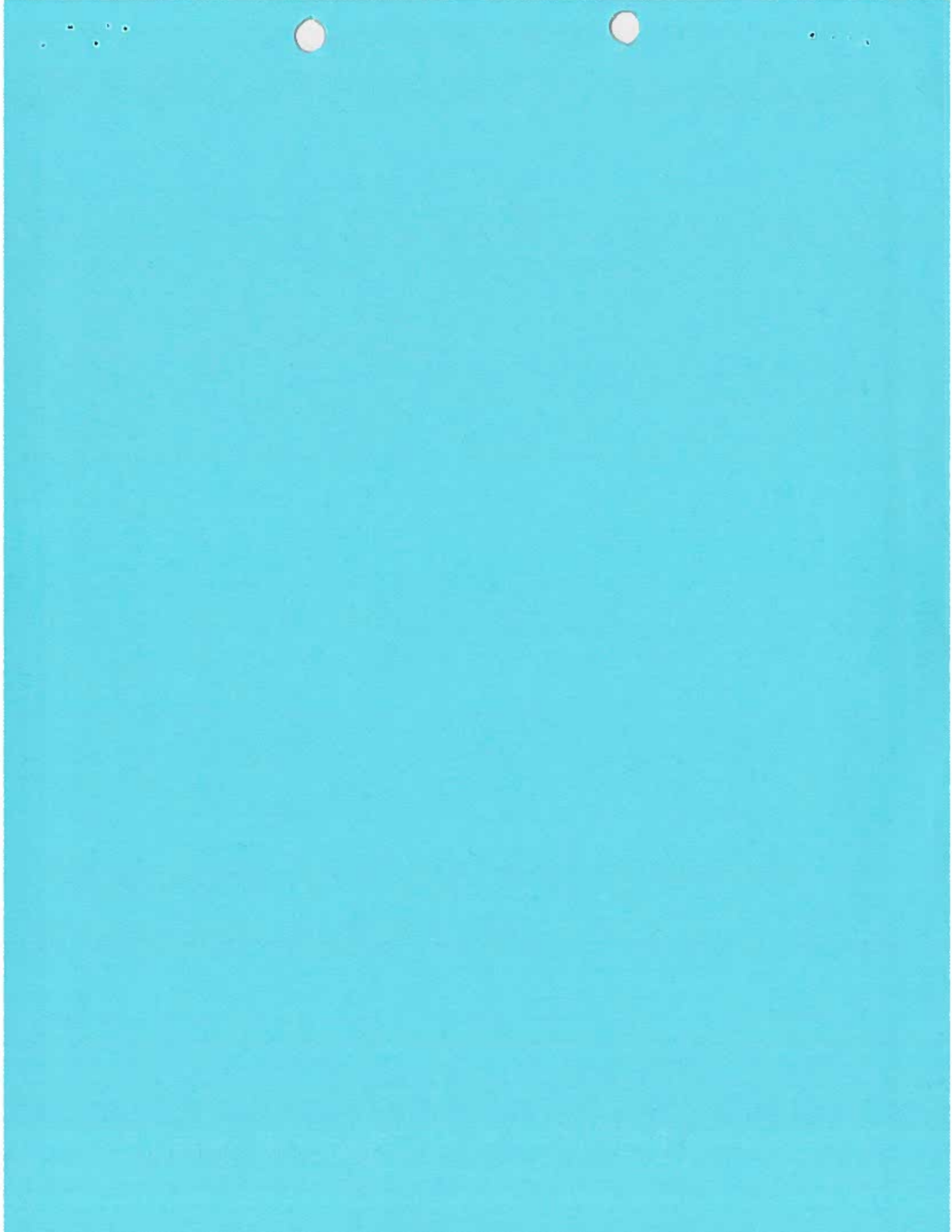
APPLICANT: HOUSE OF FREEDOM, INC.

WARD - 5 SECTION - 8 BLOCK - 1339 LOTS - 04-08

MAYOR

PRESIDENT CITY COUNCIL

**09-12-18
ALIZA S. HERTZMARK
COLBERT MATZ ROSENFELT**



ACTION BY THE CITY COUN

SEP 17 2018

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON January 9, _____ 20 19

COMMITTEE REPORT AS OF January 14, _____ 20 19

____ FAVORABLE ____ UNFAVORABLE ____ FAVORABLE AS AMENDED ____ WITHOUT RECOMMENDATION

Edward Hansen
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:

JAN 14 2019

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

THIRD READING _____ JAN 28 2019

____ 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.

Bob Johnson

Sean St. James

President

Chief Clerk