

COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

FINDINGS OF FACT

City Council Bill No. 21-0055

MOTION OF THE CHAIR OF THE COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT, 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:

Zoning - Conditional Use Retail Goods Establishment (With Alcoholic Beverages Sales) – 2600 North Howard 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:**

Establishment, location, maintenance and operation of a retail goods establishment with alcoholic beverages sales on a portion of the property known as 2600 North Howard Street would not be detrimental to or endanger public health, safety, or welfare.

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

The proposed use is not precluded by any other law, and there is no Urban Renewal Plan covering the subject property.

This property is located in the Remington National Register Historic District and community. The Remington District was placed on the National Register of Historic Places on January 17, 2017. This property was rezoned from M-1 to C-2 during the comprehensive zoning process associated with adoption of the current Zoning Code which became effective on June 5, 2017. The Remington Plan was accepted by the Planning Commission in 2018, and includes this statement: “Welcome commercial uses of a variety of sizes and functions in the neighborhood, particularly those that encourage greater social interaction: The community will welcome conversions of old industrial and commercial sites to new uses that are compatible with the existing residential community.”

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

Use of a limited portion of the property for a retail goods establishment with alcoholic beverages sales would not be contrary to the public interest.

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

The authorization would be in harmony with the purpose and intent of the Zoning Code.

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;

Department of Planning staff finds that the site, including its size and shape, is appropriate for the proposed use.

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

There would be no change to traffic patterns if this use would be authorized.

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

The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy rowhouses as well as some residential mixed-use "corner stores", while the predominant commercial type is scattered structures and serves primarily various sections of the Remington community. For this reason, it is unlikely that the proposed use would impair present or future development of the Remington or Charles Village communities.

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

There is reasonable proximity of dwellings and places of public gathering, and reasonable distance from churches and schools.

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

There is adequate accessibility for emergency vehicles

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

There is adequate light and air to the premises and to properties in the vicinity.

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

There are adequate utilities, roads, drainage, and other necessary facilities.

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

The proposed use of a portion of the existing structure would not affect preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

Approval of the proposed use would not affect the existing character of the neighborhood, as the alcoholic beverages sales license is to be transferred from a location two blocks away in the Remington community.

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

The proposed use is consistent with the City's Comprehensive Master Plan.

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

The proposed use is not prevented or limited by any Urban Renewal Plan.

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

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

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

Converting a retail goods establishment with no alcoholic beverages sales to a retail goods establishment with alcoholic beverages sales, with no enlargement of the existing structure on the property or of the area within the existing structure that is to be used for retail goods establishment with alcoholic beverages sales purposes, would not be inconsistent with the intent and purpose of the Zoning Code.

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

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

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Commission's report, dated May 14, 2021, which included the Department of Planning Staff Report, dated May 13, 2021.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Martin French, Planning Department
- Victor Tervalá, Law Department
- Caroline Hecker, Representative for the Applicant

Written:

- Planning Commission, Agency Report – Dated May 14, 2021 which included the Department of Planning Staff Report – Dated May 13, 2021
- Department of Transportation, Agency Report – Dated June 17, 2021
- Board of Municipal and Zoning Appeals, Agency Report – June 17, 2021
- Law Department, Agency Report – Dated July 14, 2021
- Department of Housing and Community Development, Agency Report – Dated July 14, 2021
- Baltimore Development Corporation, Agency Report – Dated April 28, 2021
- Parking Authority, Agency Report – Dated April 12, 2021
- Baltimore Police Department, Agency Report – Dated July 12, 2021
- Board of Liquor License Commissioners, Agency Report – Dated July 19, 2021
- Fire Department, Agency Report – Dated April 5, 2021
- Greater Remington Improvement Association – Dated March 24, 2021

COMMITTEE MEMBERS VOTING IN FAVOR

Sharon Green Middleton, Chair
John Bullock
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes