

SIXTH DAY

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FIRST COUNCILMANIC YEAR - SESSION OF 2020-2024

**JOURNAL**  
**CITY COUNCIL OF BALTIMORE**

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March 8, 2021

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Pastor Alvin Gwynn of Leadenhall Baptist Church, led the Council in Prayer.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

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**SHOWCASE BALTIMORE**

Vincent Lancisi, Founder and Artistic Director, and Paige Hernandez, Associate Artistic Director, Everyman Theater delivered a presentation.

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The City Council of Baltimore met pursuant to adjournment. Present: Nicholas J. Mosby, President, and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos

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**JOURNAL APPROVED**

The Journal of February 22, 2021 was read and approved.

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**APPROVED BY THE MAYOR**

March 1, 2021

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

Dear Council Members:

I am pleased to inform your Honorable Body that I have signed into law this day these bills which are routine and require no special treatment:

**Bill 21-0017** - An Ordinance concerning - Study and Report - City Employee Parking Benefits - For the purpose of requiring that the Department of Human Resources and the Department of Finance submit a report to the Mayor and City Council evaluating certain matters related to providing parking and commuter benefits to City employees; and providing for a special effective date.

**Bill 21-0018** - An Ordinance concerning - Study and Report - Towing Dispatch Systems - For the purpose of requiring that Baltimore City Information and Technology, in consultation with certain other agencies, submit a report to the Mayor and City Council evaluating methods and systems of dispatching towing vehicles within Baltimore City; and providing for a special effective date.

Sincerely,

Brandon M. Scott  
Mayor

#### INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

**Bill No. 21-0047** - By The Council President and Councilmembers Middleton, Burnett, Bullock, Ramos, Schleifer, Torrence, Conway, Stokes, Cohen, McCray, Glover, Dorsey, Porter, Costello

A Resolution of the Mayor and City Council establishing a continuing, non-lapsing Dante Barksdale Career Technology Education Fund, to be used exclusively to supplement pre-apprenticeship programs and other workforce development programs; requiring a minimum monthly appropriation to this Fund; authorizing the Mayor and City Council, by ordinance, to provide for the oversight, governance, and administration of this Fund; and submitting this amendment to the qualified voters of the City for adoption or rejection.

The bill was read the first time and referred to the City Solicitor, Mayor's Office of Employment Development, Baltimore City Public School System, Department of Finance, and the Education, Workforce, and Youth Committee.

**Bill No. 21-0048** - By Councilmember Bullock

An Ordinance requiring project labor agreements for certain construction projects in Baltimore City; providing for the content of those agreements; permitting the Director of Finance to waive the project labor agreement requirement under certain circumstances; allowing for rules and regulations; and defining certain terms.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Baltimore Development Corporation, Labor Commissioner, Mayor's Office of Economic Development, Mayor's Office of Minority and Women-Owned Business Development, Minority and Women's Business Opportunity Office, and the Ways and Means Committee.

**Bill No. 21-0049** - By Councilmembers Cohen, Burnett, Dorsey, Middleton, Bullock, Ramos, Torrence

An Ordinance modifying the applicable environmental control citation and civil citation fines for violating Title 7, Subtitle 6 of the Baltimore City Health Code; and requiring that the Health Commissioner submit an annual report detailing certain information regarding the City's prohibited disposal laws.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Health Department, Department of Housing and Community Development, Department of Public Works, Environmental Control Board, and the Health, Education, and Technology Committee.

The President laid before the City Council the following Council Resolutions for first reading:

**Bill No. 21-0026R** - By Councilmembers Porter, Conway, Bullock, McCray, Ramos, Torrence, Stokes, Middleton, Cohen, Glover

A Resolution inviting representatives from the Baltimore Development Corporation to brief the City Council on their efforts to support small businesses and economic development in light of the COVID-19 pandemic.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Baltimore Development Corporation, and the Ways and Means Committee.

**Bill No. 21-0027R** - By Councilmember Torrence, Middleton, Burnett, Bullock, McCray, Ramos, Stokes, Porter, Cohen

A Resolution inviting the Acting Director of the Department of Public Works and the Acting Commissioner of the Department of Housing and Community Development, as well as representatives from the Law Department, the Health Department, and the Baltimore Police

Department to explain how their agencies assist in solving the problem of illegal dumping in the City.

The bill was read the first time and referred to the City Solicitor, Health Department, Department of Housing and Community Development, Department of Public Works, Mayor's Office of Performance and Innovation, Baltimore Police Department, Health, Environment, and Technology Committee.

**Bill No. 21-0028R** - By Councilmembers Ramos, Middleton, Bullock, Schleifer, Torrence, Stokes, Cohen, Porter

A Resolution inviting the Acting Director of the Mayor's Office of Homeless Services, the Director of the Mayor's Office of Children and Family Success, the City Administrator, the Acting Commissioner of the Department of Housing and Community Development, and the advocacy groups Housing Our Neighbors and Homeless Persons Representation Project to brief and advise the City Council as to: the overall outcomes for neighbors experiencing homelessness who were able to reside in the hotels; what is next for them; assistance for those experiencing homelessness in encampments during the crisis; and the availability of programs to access housing.

The bill was read the first time and referred to the City Solicitor, Department of Finance, City Administrator, Department of Housing and Community Development, Mayor's Office of Children and Family Success, Mayor's Office of Homeless Services, and the Economic and Community Development Committee.

**Bill No. 21-0029R** - By Councilmember Stokes

A Resolution providing the required approval under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor License issued for use at 1801 East North Avenue, Baltimore, Maryland 21213 to apply to the Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Health Department, Board of Liquor License Commissioners, Department of Transportation, Baltimore Police Department, and the Economic and Community Development Committee.

**Bill No. 21-0030R** - By Councilmember Stokes

A Resolution providing the required approval under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor License issued for use at 1232 North Caroline Street, Baltimore, Maryland 21213 to apply to the

Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Health Department, Board of Liquor License Commissioners, Department of Transportation, Baltimore Police Department, and the Economic and Community Development Committee.

**Bill No. 21-0031R** - By Councilmember Stokes

A Resolution providing the required approval under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor License issued for use at 1041 Greenmount Avenue, Baltimore, Maryland 21202 to apply to the Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Health Department, Board of Liquor License Commissioners, Department of Transportation, Baltimore Police Department, and the Economic and Community Development Committee.

**Bill No. 21-0032R** - By Councilmembers Porter, Middleton, Burnett, Bullock, McCray, Ramos, Torrence, Cohen

A Resolution inviting representatives from the Department of Finance, Department of Public Works, and the Department of Health to discuss the feasibility of enacting a small hauler incentive program to better offset illegal dumping and litter in our communities.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Health Department, Department of Housing and Community Development, Department of Public Works, Mayor's Office of Performance and Innovation, and the Health, Education, and Technology Committee.

**Bill No. 21-0033R** - By Councilmember McCray, Middleton, Burnett, Bullock, Ramos, Torrence, Porter, Stokes, Glover, Cohen

A Resolution requesting that the Chief of the Baltimore City Fire Department, the Commissioner of the Baltimore Police Department, and the Director of the Department of Human Resources come before the Baltimore City Council to provide information about their agencies' strategy to recruit, retain, mentor, and promote more women.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Department of Human Resources, Baltimore City Fire Department, Baltimore Police Department, and the Public Safety and Government Operations Committee.

**Bill No. 21-0034R** - By Councilmember Glover, Middleton, Burnett, Bullock, McCray, Ramos, Torrence

A Resolution inviting the Baltimore City Department of Finance, the Comptroller, Baltimore City Information Technology, the Law Department, the Department of Transportation, and other relevant parties to discuss and present multiple options for broadband and high-speed data access within the City of Baltimore; discussing the City's powers or limitations regarding broadband expansion with regard to State law as well as City contracts and franchises already in place and the possibility of creating a municipal broadband utility to assist citizens in their accessibility to broadband; discussing possible policy or legislative reforms, and any other relevant information of interest to the Baltimore City Council in order to bring Baltimore City's broadband infrastructure and technology into the 21st Century.

The bill was read the first time and referred to the City Solicitor, Department of Finance, Information Technology, Comptroller, Department of Transportation, Health, Education, and Technology Committee.

**CONSENT CALENDAR**

CEREMONIAL RESOLUTIONS NO. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, AND 74 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the resolutions adopted under Rule 3-9.

**Ceremonial Resolutions will be found at the end of the Journal.**

**COMMITTEE REPORTS**

**BILL NO. 21-0005 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 21-0005 favorably.

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 810 Argonne Drive (Block 3913C, Lot 021), as outlined in red on the accompanying plat; providing for a special effective date; and granting variances from certain bulk regulations (lot area size), gross floor area per unit type, and off-street parking requirements.

Councilmember Middleton made a motion, duly seconded, that pursuant to Article 32, § 5-406 of the Baltimore City Code the Council adopt these findings of fact concerning a conditional use.

### Findings of Fact

#### City Council Bill No. 12-0005

- (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, construction, maintenance, and operation of a multifamily dwelling at 810 Argonne Drive would not be detrimental to or endanger public health, safety, or welfare, as it is a continuing use that has not had an obvious deleterious effect on the block or its surrounding community.

- (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, including an Urban Renewal Plan, as it is authorized by the Zoning Code in this Residential district and there is no Urban Renewal Plan for this area.

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

Use of this property for a multi-family dwelling is not otherwise in any way contrary to the public interest, as it would allow the current provision of two dwelling units on this property to continue. The use has not had an obvious deleterious effect on the block or its surrounding community.

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

The authorization would allow a multi-family dwelling use of this property to continue in a district in which it is permitted, thereby providing housing resources for the residents of Baltimore.

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 property is located on the north side of Argonne Drive approximately 98' 3" northeast of the intersection with Wilsby Avenue. It is currently improved with a two-story attached residential structure measuring approximately 20' by 32', behind which lies the junction of two alleys at least 10' wide. The structure, built in 1940, is a mid-block rental property in a group of eight dwellings. It was converted to a two-dwelling unit multi-family dwelling prior to 2019, as shown by its continued occupancy and utility meters, one for gas and one for electricity, for each of the two units. 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;

Authorizing this use will not change traffic patterns or off-street parking, as it is a continuation of the existing use of the property.

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

The block is at the southern edge of the Pen Lucy Area Master Plan area and the Pen Lucy community. The area is predominantly residential, with a large garden apartment building approximately 40' northeast of this property and with scattered uses such as religious institutions and small commercial uses found several blocks to the west along Old York Road. The proposed use will not impair present and future development in the area as it is a continuing use that has not had an obvious deleterious effect on the surrounding community.

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

There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering.

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

There is adequate accessibility of the premises for emergency vehicles.



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

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

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

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

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

The proposed use will not interfere with preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The neighborhood is predominantly residential, with a large garden apartment building approximately 40' northeast of this property and with scattered uses such as religious institutions and small commercial uses found several blocks to the west along Old York Road. Approval of the proposed use as a multi-family dwelling would not affect the existing character of the neighborhood, as it is a continuing use that has not had an obvious deleterious effect on the surrounding community.

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

The proposed use is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

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

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 requires variances from the lot area size, gross floor area per unit type, and off-street parking requirements. With those variances, the use meets all applicable standards and requirements of the Zoning Code.

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

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

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

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

Councilmember Middleton made a motion, duly seconded and pursuant to the applicable sections of Article 32 of the Baltimore City Code, that the Council adopt these findings of fact concerning any variances of applicable standards for:

**City Council Bill No. 21-0005**

**810 Argonne Drive**

**Variance for: Lot Area Size Requirements**

**Threshold Question:**

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

**Hardship or Practical Difficulty:**

*The City Council has considered at least one of the following:*

(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;  
*(underline one)*

[x] The shape of the **Structure/ Land** involved;  
*(underline one)*

[ ] The topographical conditions of the **Structure/ Land** involved;  
*(underline one)*

*and finds either that:*

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable  
*(underline one)*  
 requirement from which the variance is sought were applied because:

*or that:*

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable  
*(underline one)*  
 requirement from which the variance is sought were applied because:

There is a practical difficulty with complying with the lot area size requirements in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The property was previously converted to a two-dwelling unit multi-family dwelling, as shown by its continued occupancy and utility meters, one for gas and one for electricity, for each of the two units. Because the multi-family use was pre-existing in 2019, when the property was sold to the current owners, the practical difficulty is not being created by the intentional action of a person with a present interest in the property. Additionally, the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

#### **Variance for: Gross Floor Area Per Unit Type Requirements**

**Threshold Question:**

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

**Hardship or Practical Difficulty:**

*The City Council has considered at least one of the following:*  
(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;  
*(underline one)*

[x] The shape of the **Structure/ Land** involved;  
*(underline one)*

[ ] The topographical conditions of the **Structure/ Land** involved;  
*(underline one)*

*and finds either that:*

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable requirement from which the variance is sought were applied because:  
*(underline one)*

*or that:*

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable requirement from which the variance is sought were applied because:  
*(underline one)*

There is a practical difficulty with complying with the gross floor area per unit type requirements in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The property was previously converted to a two-dwelling unit multi-family dwelling, as shown by its continued occupancy and utility meters, one for gas and one for electricity, for each of the two units. The applicant would need to build an addition onto the house in order to meet the unit size requirements. Because the multi-family use was pre-existing in 2019, when the property was sold to the current owners, the practical difficulty is not being created by the intentional action of a person with a present interest in the property. Additionally, the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the

neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

**Variance for: Off-Street Parking Requirements**

**Threshold Question:**

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

**Hardship or Practical Difficulty:**

*The City Council has considered at least one of the following:*

(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;  
(*underline one*)

[x] The shape of the **Structure/ Land** involved;  
(*underline one*)

[ ] The topographical conditions of the **Structure/ Land** involved;  
(*underline one*)

*and finds either that:*

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable requirement from which the variance is sought were applied because:  
(*underline one*)

*or that:*

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable requirement from which the variance is sought were applied because:  
(*underline one*)

There is a practical difficulty with complying with the off-street parking requirements in the Zoning Code that has not been caused by the action or inaction of any person with a present interest in this property. Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The property was previously converted to a two-dwelling unit multi-family dwelling, as shown by its continued occupancy and utility meters, one for gas and one for electricity, for each of the two units. While there may be enough room in the rear of the property for the two required parking spaces, there would be little to no green space left for the use of the residents. Because the multi-family use was pre-existing in 2019, when

the property was sold to the current owners, the practical difficulty is not being created by the intentional action of a person with a present interest in the property. Additionally, the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

**Source of Findings:**

*(check all that apply)*

Planning Report – Commission Report from January 15, 2021

Testimony presented at the Committee hearing:

Oral – Witness Names:

- Eric Tiso (Planning Department)
- Victor Tervalo (Law Department)

Written – Authors' Names:

- Department of Transportation, Agency Report –Dated February 18, 2021
- Board of Municipal and Zoning Appeals, Agency Report –Dated March 1, 2021
- Law Department, Agency Report –Dated February 16, 2021
- Department of Housing and Community Development, Agency Report –Dated February 4, 2021
- Baltimore Development Corporation, Agency Report –Dated January 28, 2021
- Fire Department, Agency Report –Dated January 19, 2021
- Parking Authority, Agency Report –Dated January 27, 2021

**Economic and Community Development Committee:**

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0006 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 21-0006 favorably.

An Ordinance changing the zoning for the property known as 407 Benninghaus Road (Block 5014C, Lot 004A), as outlined in red on the accompanying plat, from the R-3 Zoning District to the OR-1 Zoning District.

**Findings of Fact****City Council Bill No. 21-0006****Rezoning – 407 Benninghaus Road**

Upon finding as follows with regard to:

(1) Population changes;

According to the Census American Community Survey (ACS), population has dropped in the Census Block Group where this property is located (#245102712003) in recent years. In 2013 it was 1,130, then in 2014 it was 1,097, dropping to 885 in 2017, and finally in 2018 it was 683.

(2) The availability of public facilities;

This site is well served by City infrastructure, which will continue with or without this proposed rezoning.

(3) Present and future transportation patterns;

The property's small size is unlikely to have any significant impacts on the surrounding transportation patterns or the amount of traffic on nearby streets.

(4) Compatibility with existing and proposed development for the area;

This property contains just under 3,400 square feet of land, and is unlikely to significantly impact surrounding properties. There is no proposed development in the immediate area surrounding the property. The property is owned by Govmoco LLC which also owns the Accelerator Building directly across Hess Ave.

- (5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	Favorable

- (6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

The owner intends to demolish the existing structure on the site to create a small open parking area to support the uses in the Accelerator Building and to ease the occasional traffic congestion on Hess Avenue. By supporting the businesses in the Accelerator Building, the rezoning furthers the Earn and Play goals of the Comprehensive Master Plan.

- (7) Existing uses of property within the general area of the property in question;

In addition to this property, there are other nonconforming uses in the residential portion of this short block of Benninghaus Road, including an auto repair garage and surface parking lots on the north side of the street.

- (8) The zoning classification of other property within the general area of the property in question;

This site is located at the intersection of two small streets. Just across Hess Avenue are the backs of the commercially zoned properties that front on York Road or Bellona Avenue. The properties to the west are generally zoned residential.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The structure on the property was originally built as a residence but was converted for office use by a previous owner. The property is in close proximity to numerous



commercial uses, making it undesirable for residential redevelopment. The applicant determined that renovating the structure for residential use was not economically viable.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

There has not been a significant change in development in the immediate area since the last comprehensive rezoning, effective in June 5, 2017.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

Intentionally left blank

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

Prior to its purchase by the current owner in February 2020, and at the time of the last comprehensive zoning, 407 Benninghaus Road had been used as an office for many years. The property is in close proximity to numerous commercial uses, including the commercially zoned properties that front on York Road or Bellona Avenue and nonconforming uses in the residential portion of the same short block of Benninghaus Road. Due to the property's small size and proximity to many commercial uses, residential redevelopment is undesirable and economically infeasible. The rezoning is consistent with the property's historical use and will allow for its beneficial reuse to support the uses in the Accelerator Building. The Council failed to consider the above facts at the time of the last comprehensive zoning.

SOURCE OF FINDINGS (Check all that apply):

- Planning Report – Planning Commission's report, dated January 14, 2021, which included the Department of Planning Staff Report, dated August 20, 2020, and the Planning Commission's report dated August 26, 2020.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department

- Hilary Ruley, Law Department
- Councilman Mark Conway

Written – Submitted by:

- Board of Municipal and Zoning Appeals, Agency Report – Dated March 1, 2021
- Law Department, Agency Report – Dated February 17, 2021
- Department of Transportation, Agency Report – Dated February 18, 2021
- Department of Housing and Community Development, Agency Report – Dated February 4, 2021
- Baltimore Development Corporation, Agency Report – Dated January 29, 2021
- Applicant’s Proposed Finding of Facts - Submitted by Councilman Mark Conway on March 2, 2021

**Land Use Committee Members Voting in Favor:**

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

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0010 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 21-0010 favorably.

An Ordinance changing the zoning for the property known as 2087 Druid Park Drive (Block 3390B, Lot 036), as outlined in red on the accompanying plat, from the I-1 Zoning District to the IMU-1 Zoning District.

**Findings of Fact**

**City Council Bill No. 21-0010**

**Rezoning – 2087 Druid Park Drive**

Upon finding as follows with regard to:

(1) Population changes;

There has not been a significant change in population in this area since June 5, 2017, when the current Zoning Code and map became effective. As this is a Census year, there may be population changes documented in the near future.

(2) The availability of public facilities;

All public facilities necessary to support use of the subject property are available and expected to remain available.

(3) Present and future transportation patterns;

There are no changes anticipated in present or future transportation patterns in this area.

(4) Compatibility with existing and proposed development for the area;

Properties across Druid Park Drive and along Druid Park Drive to the east of the subject property are predominantly residential in use, with single-family homes (attached and semi-detached) predominating within that use. A small vacant property adjoining the subject property to the south would remain in the I-1 zoning district. The larger actively used property to the west, across Parklane Avenue and along Druid Park Drive, is commercial-industrial in use. On the other side of the vacant lot mentioned above is a large residential mixed-use area created as the Clipper Mill Planned Unit Development, established in 2003, in which office and residential uses predominate. Rezoning the subject property to the IMU-1 Zoning District would provide for a transitional zone between the industrial uses and the residential uses in the area.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable

Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	Favorable

- (6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

The rezoning supports the Comprehensive Master Plan’s Goal 1 to strengthen neighborhoods by increasing housing choices and population along with elevating design quality and Goal 2 to promote Transit Oriented Development by removing the property from a zoning district that prohibits dwelling units.

- (7) Existing uses of property within the general area of the property in question;

Properties across Druid Park Drive, and along Druid Park Drive to the east of the subject property, are predominantly residential in use, with single-family homes (attached and semi-detached) predominating within that use. A small vacant property adjoining the subject property to the south would remain in the I-1 zoning district. The larger actively used property to the west, across Parklane Avenue and along Druid Park Drive, is commercial-industrial in use. On the other side of the vacant lot mentioned above is a large residential mixed-use area created as the Clipper Mill Planned Unit Development, established in 2003, in which office and residential uses predominate.

- (8) The zoning classification of other property within the general area of the property in question;

Immediately east of the subject property, along Druid Park Drive, and across Druid Park Drive, properties are in the R-6 zoning district. A small vacant property adjoining the subject property to the south is in the I-1 zoning district. Further to the south and southwest are properties in the TOD-2 zoning district. West of the subject property, across Parklane Avenue and along the south side of Druid Park Drive, property is zoned I-1.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The subject property is not very suitable for modern industrial uses. Its relatively small size (approximately 5,800 square feet of lot area) and location remote from major freight transportation facilities or routes has rendered it functionally obsolete for industrial use.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

There have been no significant changes to development trends in the general area of the subject property. Interest in living in the historic community of Woodberry has continued to drive residential property values, while existing light industrial uses have continued in the larger industrially zoned areas.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

Intentionally left blank

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

The existing I-1 zoning classification is inconsistent with the property's history as a residential and commercial/industrial property. The I-1 zoning ignored the existing residential uses, and thus failed to meet the goal to minimize non-conforming uses. Additionally, the property's relatively small size makes it non-viable for modern industrial use. The nearby neighborhood R-6 zoned properties are typical residential row homes and do not have former commercial/industrial uses like the subject property. Transform Baltimore's original IMU classification, and the more recent IMU-1 classification, was designed as a transition zone to accommodate this very situation.

SOURCE OF FINDINGS (Check all that apply):

- Planning Report – Planning Commission's report, dated January 14, 2021, which included the Department of Planning Staff Report, dated August 20, 2020, and the Planning Commission's report dated August 21, 2020.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department
- Hilary Ruley, Law Department
- Nate Pretl, Representative for the Applicant
- Al Barry, Representative for the Applicant

Written – Submitted by:

- Board of Municipal and Zoning Appeals, Agency Report – Dated March 1, 2021
- Law Department, Agency Report – Dated February 26, 2021
- Department of Transportation, Agency Report – Dated February 18, 2021
- Department of Housing and Community Development, Agency Report – Dated February 4, 2021
- Baltimore Development Corporation, Agency Report – Dated January 29, 2021
- Al Barry, Letter, Dated December 2, 2020

**Land Use Committee Members Voting in Favor:**

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

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0011 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 21-0011 favorably.

An Ordinance changing the zoning for the property known as 2426 Pennsylvania Avenue (Block 0294, Lot 014), as outlined in red on the accompanying plat, from the OR-1/R-MU Zoning District to the C-1-E Zoning District.

**Findings of Fact**

**City Council Bill No. 21-0011**

**Rezoning – 2426 Pennsylvania Avenue**

Upon finding as follows with regard to:

(1) Population changes;

There have not been significant population changes in the immediate vicinity of the Penn North neighborhood since the enactment of the last comprehensive rezoning (2017).

(2) The availability of public facilities;

The site is well served by City infrastructure, which will continue with or without the proposed rezoning.

(3) Present and future transportation patterns;

There would be no negative effect upon present or future transportation patterns in the area as a result of adoption of this bill. A commercial zoning designation that allows live entertainment would support eventual redevelopment of the subject parcel and the Pennsylvania Avenue corridor. In addition, it is adjacent to the Penn-North Metro station, making it ideal for those wishing to use mass transit to come to the site.

(4) Compatibility with existing and proposed development for the area;

The proposed zoning district is compatible with the existing and proposed development for the area. The site is surrounded by nearby commercial zoning and land uses, transit-oriented development zoning, as well as the current zoning. This change would be compatible with the conditions of the area and other parts of Pennsylvania Avenue that are zoned commercial. The 2400 block of Pennsylvania Avenue is at the intersection of North Avenue where the metro station is located. From a zoning perspective, it had always been zoned as part of North Avenue, which had been zoned B-2-3. The adjacent parts of Pennsylvania Avenue were zoned a combination of B-2-2 and B-3-2. The property and the surrounding block are located between the metro station and a C-1 node of Pennsylvania Avenue. Historically this block and specifically this property were included in the notable portions of the Pennsylvania Avenue commercial corridor and should have retained commercial zoning. This is especially the case given its proximity to the metro station.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
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Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable

- (6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

The proposed action is consistent with the Goals and Objectives of LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore City. In 2006, the Planning Commission adopted the Penn North Area Master Plan that includes the subject property within its bounds. The plan expressly says that “the neighborhood should capitalize on the proximity to the Metro station, presence of undeveloped land, and vacant and blighted housing to build a thriving, mixed-use, mixed-income neighborhood. A zoning study should be conducted to determine the best zoning options for Penn North to: ...Encourage a mix of uses that serve the community with retail, entertainment, and employment on Pennsylvania Avenue and North Avenue”. In addition, the Penn North neighborhood is currently a designated Impact Investment Area for the City. The neighborhood is currently working with the Mayor’s Sub-Cabinet led by the Department of Housing and Community Development (DHCD) and the Department of Planning on a visioning plan that includes updating and continuing the work of the previously adopted master plan by reimagining key sites and the commercial corridors with the inclusion of the Black Arts and Entertainment lens. In addition, the City has been quite supportive and an advocate for the creation of arts and entertainment districts along commercial corridors. This is one of several.

- (7) Existing uses of property within the general area of the property in question;

Existing uses of property within the general area of this site are a mix of residential, light industrial, open space, and commercial.

- (8) The zoning classification of other property within the general area of the property in question;

C-1-E zoning as proposed is not currently found in the area, but there are C-1 zones nearby further south on Pennsylvania Avenue and along North Avenue. In addition, this parcel is directly across the street from a TOD-1 zoned area. There will be broader discussions about rezoning a portion of the Pennsylvania Avenue corridor to C-1-E through continued master planning efforts.



- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The OR-1/R-MU zoning is not consistent with the property's historical and current uses. The property was originally built as a working theater and later became a restaurant. Currently it is a social club and has live entertainment uses. In addition, the property was designated a local landmark based on its history and the building typology as an entertainment venue and the importance of the social history of Pennsylvania Avenue.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

In 2019, a portion of the Pennsylvania Avenue commercial corridor was designated by the State of Maryland as a Black Arts and Entertainment District. The designation was the result of a grassroots effort from the neighborhood. In addition, the community has been engaged in a robust planning effort with various City agencies to not only develop a cohesive revitalization plan that incorporates the goals of the newly designated Arts and Entertainment District, but also to identify specific projects for implementation and opportunities to move forward. A current opportunity to restore the building revealed the current, erroneous OR-1/R-MU zoning of the property.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

As previously discussed, a portion of the Pennsylvania Avenue commercial corridor that includes the subject property was designated by the State of Maryland as a Black Arts and Entertainment District in 2019. That designation was part of a continuing effort to revitalize the neighborhood with a focus on the historic uses of key properties and the corridor as a whole. The C-1-E zoning district is appropriate for the subject property as it will support its historical and current uses, including live entertainment, as well as the revitalization of the surrounding community.

- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect;

As discussed above, the subject property has a documented entertainment and commercial history dating back to 1912 on one of the most iconic commercial corridors in the City. This combined with the 2006 area master plan that clearly states there should

be a focus on commercial and entertainment and the property's prior commercial B-2-3 zoning designation shows that the current zoning district was selected in error for this property and possibly the entire block. The C-1-E zoning district is appropriate for the subject property as it will support its historical and current uses, including live entertainment, as well as the revitalization of the surrounding community.

SOURCE OF FINDINGS (Check all that apply):

- [X] Planning Report – Planning Commission's report, dated January 14, 2021, which included the Department of Planning Staff Report, dated September 10, 2020, and the Planning Commission's report dated September 11, 2020.
  
- [X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department
- Hilary Ruley, Law Department
- Al Barry, Representative for the Applicant
- Nate Pretl, Representative for the Applicant

Written – Submitted by:

- Board of Municipal and Zoning Appeals, Agency Report – Dated March 1, 2021
- Law Department, Agency Report – Dated February 18, 2021
- Department of Transportation, Agency Report – Dated February 18, 2021
- Department of Housing and Community Development, Agency Report – Dated February 4, 2021
- Baltimore Development Corporation, Agency Report – Dated January 29, 2021
- Nate Pretl, Findings of Facts (20-0594) - Dated March 2, 2021

**Land Use Committee Members Voting in Favor:**

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

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0013 REPORTED FAVORABLY  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 21-0013 favorably.

An Ordinance changing the zoning for the properties known as 4015 Foster Avenue (Block 6447 Lot 021) and 4000 Hudson Street (Block 6457, Lot 018), as outlined in red on the accompanying plat, from the I-1 Zoning District to the IMU-2 Zoning District; and changing the zoning for the property known as 801 South Haven Street (Block 6458, Lot 003), from the I-2 Zoning District to the IMU-2 Zoning District, as outlined in blue on the accompanying plat.

**Findings of Fact**

**City Council Bill No. 21-0013**

**Rezoning – 4015 Foster Avenue, 4000 Hudson Street, and 801 South Haven Street**

Upon finding as follows with regard to:

(1) Population changes;

There have been significant population changes in the immediate vicinity of this comprehensive rezoning between the passage of the last comprehensive rezoning in 2016 and the present time due to the construction of new town homes at 4001 Hudson Street. Additionally, more than 70 new town homes are pending construction adjacent to the subject area, as well several hundred more that are under construction a few blocks to the south within the Brewer's Hill PUD and the new Collective at Canton mixed-use development.

(2) The availability of public facilities;

This site is well-served by public services and utilities, which can also support redevelopment or reuse of this site.

(3) Present and future transportation patterns;

There would be no effect upon present or future transportation patterns in the area as a result of adoption of this bill. The continued prohibition of additional residential uses along the South Haven Street corridor is important.

- (4) Compatibility with existing and proposed development for the area;

For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA will comment separately on this bill.

- (5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable

- (6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan;

The rezoning of these properties to the IMU-2 zoning district would be consistent with the City’s plan. The proposed action would support goals contained in the Comprehensive Master Plan for Baltimore City, Earn Goal 1: Strengthen Identified Growth Sectors, Objective 1: Retain and Attract Businesses in all Growth Sectors and Objective 5: Retain and Attract Businesses in Construction. It would also support Neighborhoods Strategy #2 from the Baltimore Sustainability Plan: Support programs and policies to increase investments in neighborhoods.

- (7) Existing uses of property within the general area of the property in question;

Existing uses of property within the general area of this site are a mix of residential, light industrial, and commercial.

- (8) The zoning classification of other property within the general area of the property in question;

All of the subject parcels are currently in use and functional under their current zoning designation. The expanded uses permitted by the proposed zoning designation, however, would enable some of the current businesses in the subject area to continue to grow

without being forced to relocate, and will better reflect the changing market demands along the Haven Street corridor.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

All of the subject parcels are currently in use and functional under their current zoning designation. The expanded uses permitted by the proposed zoning designation, however, would enable some of the current businesses in the subject area to continue to grow without being forced to relocate, and will better reflect the changing market demands along the Haven Street corridor.

- (10) The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present classification;

There have been recent and proposed developments in close proximity to this site, including the two large town home developments cited earlier in this report. These development trends represent a significant change in the neighborhood, and have happened since the time of the last comprehensive rezoning.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning;

The main intention behind a rezoning of these several properties to IMU-2 is that this new zoning designation acknowledges the changes that have been happening along the corridor and allows for additional of office, commercial, and retail uses while at the same time continuing to prohibit any additional residential development directly on South Haven Street. This prohibition of additional residential development along South Haven Street is of importance to not just the Department of Planning, but also to the Brewer's Hill Neighbors community association, as they have expressed an openness to additional office or retail uses along the corridor but do not want any additional residential development. Planning staff consider the developments that have taken place nearby as constituting a significant change in the character of the neighborhood. According to the Law Department, the nature of this bill is such that it would amount to a comprehensive rezoning under the City's zoning law. The City Code and Maryland case law currently define "comprehensive rezoning" as an ordinance that is:

1. Initiated by the City government to modify the zoning classification of multiple properties;
2. Based upon considerations concerning the common needs of a substantial geographic area, involving a considerable number of properties;

- 3. The product of careful consideration and extensive study by the Planning Department and reviewed by the Planning Commission;
- 4. Designed to control and direct the use of land and buildings according to present and planned future conditions; and
- 5. Designed to accomplish the most appropriate uses of land consistent with the public interest and the safeguarding of the interests of the individual property owners.

The committee understands that the bill qualifies as a comprehensive rezoning that does not need findings of fact. For the record, the committee approved the findings presented in the Department of Planning’s staff report.

(12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable and/or that events occurring subsequent to the comprehensive zoning have proven that the Council’s initial premises were incorrect;

SOURCE OF FINDINGS (Check all that apply):

- Planning Report – Planning Commission’s report, dated January 14, 2021, which included the Department of Planning Staff Report, dated October 8, 2020.
- Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department
- Elena DiPietro, Law Department

Written – Submitted by:

- Board of Municipal and Zoning Appeals, Agency Report – Dated March 1, 2021
- Law Department, Agency Report – Dated February 26, 2021
- Department of Transportation, Agency Report – Dated January 14, 2021
- Department of Housing and Community Development, Agency Report – Dated February 4, 2021
- Baltimore Development Corporation, Agency Report – Dated January 29, 2021

**Land Use Committee Members Voting in Favor:**

Sharon Green Middleton, Chair  
 John Bullock  
 Mark Conway  
 Ryan Dorsey

Antonio Glover  
Odette Ramos  
Robert Stokes

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0015 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 21-0015 favorably.

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the accompanying plat; and providing for a special effective date.

Councilmember Middleton made a motion, duly seconded, that pursuant to Article 32, § 5-406 of the Baltimore City Code the Council adopt these findings of fact concerning a conditional use.

**Findings of Facts**

**City Council Bill No. 12-0015**

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

The authorization will allow the applicant to use the properties as parking lots. As parking lots, the properties will be protected from deterioration and neglect and will productively support the renovation and use of the adjacent building at 1020 West Pratt Street. The parking lots will further benefit the surrounding community by providing an alternative to on-street parking for the users and visitors to 1020 West Pratt Street. The final plan for the parking lots will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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

The proposed development is compatible with the Poppleton Urban Renewal Plan.

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

The authorization will allow the applicant to use the properties as parking lots. As parking lots, the properties will be protected from deterioration and neglect and will productively support the renovation and use of the adjacent building at 1020 West Pratt Street. The parking lots will further benefit the surrounding community by providing an alternative to on-street parking for the users and visitors to 1020 West Pratt Street. The final plan for the parking lots will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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

The authorization will allow the applicant to use the properties as parking lots. As parking lots, the properties will be protected from deterioration and neglect and will productively support the renovation and use of the adjacent building at 1020 West Pratt Street. The parking lots will further benefit the surrounding community by providing an alternative to on-street parking for the users and visitors to 1020 West Pratt Street. The final plan for the parking lots will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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 nature of the proposed sites, including their size and shape, are adequate for the proposed use as parking lots. The final plan for the parking lots will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements

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

There will be no negative impact to traffic patterns. Approval of the parking lots will likely prevent negative impacts to traffic and parking in the area by providing visitors to 1020 West Pratt Street with an alternative to on-street parking.



**Journal of the City Council**

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

The parking lots will productively support the renovation and use of the adjacent building at 1020 West Pratt Street. The proposed parking lots will not negatively impact adjacent homes as vacant properties would.

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

The parking lots will productively support the renovation and use of the adjacent building at 1020 West Pratt Street. There will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other places of public gathering.

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

There is adequate accessibility of the premises for emergency vehicles.

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

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

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

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

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

The proposed use will not interfere with preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The properties are located in the Hollins Market neighborhood, which is roughly bounded by West Pratt Street, MLK Boulevard, West Baltimore Street, and South Carey Street. The neighborhood includes residential and commercial uses. The adjacent property at 1020 West Pratt Street is being redeveloped and was recently rezoned to IMU-1. The use of the subject properties as parking lots will not alter the character of the neighborhood.

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

The proposed use is consistent with the goals of the Comprehensive Master Plan for Baltimore. The parking lots will productively support the renovation and use of the adjacent building at 1020 West Pratt Street.

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

The proposed development is compatible with the Poppleton 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, and the final plan for the parking lots will be subject to approval by the Site Plan Review Committee.

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

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

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

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

**Source of Findings:**

*(check all that apply)*

Planning Report – Commission Report from January 14, 2021, which included the Department of Planning Staff Report, dated September 10, 2020.

Testimony presented at the Committee hearing

Oral – Witness Name:

- Eric Tiso, Planning Department
- Victor Tervalá, Law Department
- Alyssa Domzal, Representative for the Applicant

Written – Submitted by:

- Board of Municipal and Zoning Appeals, Agency Report – Dated March 1, 2021
- Law Department, Agency Report – Dated February 16, 2021
- Department of Transportation, Agency Report – Dated March 1, 2021

- Department of Housing and Community Development, Agency Report – Dated February 5, 2021
- Baltimore Development Corporation, Agency Report – Dated January 29, 2021
- Parking Authority, Agency Report - Dated January 21, 2021
- Hollins Roundhouse Association - Dated March 2, 2021

**Committee Members Voting in Favor:**

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

Findings of Fact adopted.

Favorable report adopted.

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0015 favorably, with amendments.

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and 5 operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, 6 Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the 7 accompanying plat; and providing for a special effective date.

Committee Amendments to City Council Bill No. 21-0015

**Amendment No. 1**

On page 1, in lines 17 and 18, strike “condition that the” and substitute “following conditions:

1. The proposed parking lots must be approved by the Site Plan Review Committee.
2. The parking lots must comply with the requirements of the Landscape Manual.
3. The”;

and, on the same page, in line 18, after “lots”, insert “must”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 21-0002R REPORTED FAVORABLY  
AND ADOPTED**

Councilmember McCray, for the Health, Environment, and Technology Committee, reported Bill No. 21-0002R favorably.

**A COUNCIL RESOLUTION CONCERNING**

**Investigative Hearing – Inland Flood Mitigation**

FOR the purpose of inviting the Acting Director of the Office of Emergency Management, the Acting Director of the Department of Public Works, the Director of the Department of Planning, the Director of the Office of Sustainability, and other representatives of these agencies to provide an update on efforts to mitigate and prevent inland flooding, which is not covered by the recently passed Nuisance Flood Plan.

**Recitals**

**WHEREAS**, In July of 2020, there was extensive flooding across the City, incidents of which have been increasing over the past few years;

**WHEREAS**, Residents experienced property damage and physical harm during these massive flooding events;

**WHEREAS**, The Nuisance Flood Plan, crafted by the Department of Planning’s Office of Sustainability and passed by the Planning Commission in October 2020, defines nuisance flooding as “high tide flooding that causes public inconvenience” and focuses on coastal areas;

**WHEREAS**, The Nuisance Flood Plan acknowledges that more work needs to be done to prevent inland and urban flooding;

**WHEREAS**, There is currently no plan to address flooding in neighborhoods away from coastal areas; and

**WHEREAS**, There are numerous resources available to address these issues from the State and federal levels, and the public has heightened awareness of the problem of inland and urban flooding.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the City Council invites the Acting Director of the Office of Emergency Management, the Acting Director of the Department of Public Works, the Director of the Department of Planning, the Director of the Office of Sustainability, and other representatives of these agencies to provide an update on efforts to mitigate and prevent inland flooding, which is not covered by the recently passed Nuisance Flood Plan.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Acting Director of the Office of Emergency Management, the Acting Director of the Department of Public Works, the Director of the Department of Planning, the Director of the Office of Sustainability, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the Resolution adopted.

**BILL NO. 21-0010R REPORT FAVORABLY  
AND ADOPTED**

Councilmember McCray, for the Health, Environment, and Technology Committee, reported Bill No. 21-0010R favorably.

**A COUNCIL RESOLUTION CONCERNING**

**Informational Hearing – Getting on the Same Page: Clarifying 311 Services' Approach to Resolving Requests**

FOR the purpose of inviting representatives from 311 Services, the Department of Public Works, the Department of Transportation, the Department of Housing and Community Development, the Department of Recreation and Parks, the Office of the City Administrator, the Baltimore Development Corporation, BGE, and the Mayor's Office of Performance and Innovation to appear before the City Council to discuss how to improve the status classifications within the 311 to make them better understandable, more transparent, and more reliable for the citizens of Baltimore.

**Recitals**

As the first city to launch a 311 service in 1996, Baltimore has pioneered the use of centralized call centers for non-emergency complaints. The expansion of 311 to include a much broader range of services around the turn of the century and the introduction of a free 311 smartphone app for reporting and tracking service requests continued Baltimore's path-breaking role in the field. During its existence, the 311 system has created over 13,000,000 service requests on behalf of Baltimore City residents, businesses, and visitors.

However, citizens still raise concerns about the efficiency of 311's centralized complaint system and their ability to track the City's progress towards resolving complaints. Some feel that the current system does not provide sufficient transparency as to which agency is responsible for a particular complaint or what actions have been taken to "close" a service request. Seeing a "closed" 311 status for an issue that a citizen can see with their own eyes is still on-going is particularly galling and embarrassing for the City.

Further, simple requests often get lost in the byzantine patchwork of agency duties and responsibilities when agencies internally refer certain matters to each other for resolution without alerting the citizen who reported the matter. Without being notified of these inter-agency referrals, citizens face the anxiety of thinking that the City is being unresponsive or delaying their response. In other instances, citizens are simply not made aware of what tools are available for tracking service requests and are left in the dark about the results of their calls.

All of this raises the simple question – is 311 working? How many service requests are satisfactorily resolved and how many instead go unanswered or are "closed" by the system but then require follow-up requests by residents who aren't satisfied by the initial response? When service requests are referred to other City agencies, are customers connected to the proper people at those agencies to follow-up on their requests? Does 311 Services make repeated efforts, if necessary, to determine whether agencies have fulfilled service requests? If 311 Services directs a service request to the wrong agency, does it have a system in place so that similar service requests will be reported to the correct agency in the future? The City Council is interested in learning the answers to these and similar questions at an informational hearing.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Baltimore City Council invites representatives from 311 Services, the Department of Public Works, the Department of Transportation, the Department of Housing and Community Development, the Department of Recreation and Parks, the Office of the City Administrator, the Baltimore Development Corporation, BGE, and the Mayor's Office of Performance and Innovation to appear before the City Council to discuss how to improve the status classifications within the 311 to make them better understandable, more transparent, and more reliable for the citizens of Baltimore.

**AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, Director of 311 Services, Director of the Department of Public Works, Director of the Department of Transportation, the Acting City Administrator, the Executive Director of the

Baltimore Development Corporation, the Commissioner of the Department of Housing and Community Development, the City Arborist, BGE's Vice President of Support Services, the Director of the Mayor's Office of Performance and Innovation, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

The roll was called on the adoption of the Resolution, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the Resolution adopted.

**BILL NO. 21-0024 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Conway, for the Public Safety and Government Operations Committee, reported Bill No. 21-0024 favorably.

An Ordinance clarifying the City's minority business and women's business contract utilization requirements for certain emergency procurements; requiring that, after an emergency procurement, the agency submit a report to the Board of Estimates and the Minority and Women's Business Opportunity Office; providing for a special effective date; and generally relating to greater transparency and utilization of minority and women's business in City emergency contracting.

Committee Amendments to City Council Bill No. 21-0024

**Amendment No. 1**

On page 2, in line 24, strike "30" and substitute "45".

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**ACTION ON EXECUTIVE APPOINTMENTS**

Councilmember Schleifer made a motion, which was duly seconded, that the favorable report of the Committee on Executive Appointments be adopted.

The Appointment of James L. Shea as City Solicitor of the Law Department.

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of James L. Shea be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of James L. Shea confirmed.

**BILL NO. 21-0032 REPORTED FAVORABLY, AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Ways and Means Committee, reported Bill No. 21-0032 favorably.

An Ordinance establishing the salary of the Director of Public Works; and providing for a special effective date.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**THIRD READING**

The President laid before the City Council:

**BILL NO. 21-0003** - An Ordinance establishing the Baltimore City Workgroup on Nuisance Parking and Auto Businesses; providing for the composition, ~~chair~~, and staffing of the Workgroup; requiring the Workgroup to study certain matters related to the illegal storage of



motor vehicles in public rights-of-way by motor vehicle repair establishments and motor vehicle dealerships and make certain recommendations; requiring the Workgroup to report its findings and recommendations to the Mayor and City Council on or before a certain date; providing for a special effective date; providing for the termination of this Ordinance; and generally relating to the illegal practice of using the public right-of-way as surplus private motor vehicle storage.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

### THIRD READING

The President laid before the City Council:

**BILL NO. 21-0008** - An Ordinance naming the playground in Northwest Park, located at ~~2027 West Rogers Avenue~~ 2021 West Rogers Avenue and approximately 100 feet from the street, to be the ~~Rikki~~ Rochelle "Rikki" Spector Playground.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

### THIRD READING

The President laid before the City Council:

**BILL NO. 21-0014** - An Ordinance requiring the Fire Chief of the Baltimore City Fire Department to report annually certain information to the Mayor and City Council of Baltimore;

requiring the report to be made available on the Department's website; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

### THIRD READING TODAY

Councilmember Costello made a motion, which was duly seconded, to place Bill No. 21-0032 on third reading today.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared that three fourths of all the members-elect, voting in the affirmative, Article 3, Section 14 of the Charter having been complied with, the bill was placed on third reading file.

The President laid before the City Council:

**BILL NO. 21-0032** - An Ordinance establishing the salary of the Director of Public Works; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

**Motion to Suspend City Council Rules 10-2 and 10-3  
with Regard to Bill No. 21-0022R**

Councilmember Stokes made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 21-0022R.

The motion carried without exception, and the President declared the rules suspended with regard to the bill. Then Councilmember Stokes announced a hearing date for the bill.

**Motion to Suspend City Council Rules 10-2 and 10-3  
with Regard to Bill No. 21-0044**

Councilmember Conway made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 21-0044.

The motion carried without exception, and the President declared the rules suspended with regard to the bill. Then Councilmember Conway announced a hearing date for the bill.

**ADJOURNMENT**

On motion of Councilmember, duly seconded, the City Council adjourned to meet on Monday, March 22, 2021, at 5:00 p.m.

Consent Calendar

**CR 63 President Mosby, All Members**

**A City Council Resolution on the death of Adrienne Coe, May 23, 1961 – January 29, 2021.**

**CR 64 President Mosby, All Members**

**A City Council Resolution on the death of Karen Shannon, April 10, 1965 – February 2, 2021.**

**CR 65 President Mosby, All Members**

**A City Council Resolution congratulating Officer Lamont Woodard on your highly deserving election as the 2020 Northwestern District Officer of the Year, thank you for your service.**

**CR 66 President Mosby, All Members**

**A City Council Resolution congratulating Dr. Yolanda Cares Foundation, Inc. on the third annual heart to heart carpet affair and your role in addressing health disparities in vulnerable communities.**

**CR 67 President Mosby, All Members**

**A City Council Resolution on the death of Gloria C. Bracey, February 14, 1936 – February 16, 2021.**

**CR 68 President Mosby, All Members**

**A City Council Resolution on the death of Horace Lee Love Sr., October 22, 1923 – February 21, 2021.**

**CR 69 President Mosby, All Members**

**A City Council Resolution on the death of Maurice Saleem Wooden, January 10, 1947 – February 20, 2021.**

**CR 70 President Mosby, All Members**

**A City Council Resolution congratulating The Floral Heart Project on it's love and support to the families and loved ones of those lost to COVID-19.**

**CR 71 President Mosby, All Members**

**A City Council Resolution congratulating The St. Helena Community Association on the association's contributions and commitment to the health, safety, and well being of the St. Helena Community.**

**CR 72 President Mosby, All Members**

**A City Council Resolution congratulating Apostle Dr. Timothy Moore, Pastor on your 24th Pastoral Anniversary, leading God's house by the Holy Spirit with dedication, determination, and demonstration.**

**CR 73 President Mosby, All Members**

**A City Council Resolution on the death of Andre Lamont Smith, November 10, 1958 – February 23, 2021.**

**CR 74 Burnett**

**A City Council Resolution congratulating Jeannine Michel on over 50 years of dedication and volunteerism to the City of Baltimore.**