

LAND USE COMMITTEE

FINDINGS OF FACT

City Council Bill No: 20-0609

MOTION OF THE CHAIR OF THE LAND USE COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO SECTIONS 10-304 AND 10-305 OF THE MARYLAND LAND USE ARTICLE AND SECTION 5-508 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING THE REZONING OF:

Rezoning - 4207-4209 Menlo Drive

Upon finding as follows with regard to:

(1) Population changes;

While the next Census is taking place this year, the 2018 ACS 5-Year Estimates projected an approximate population growth of 400 people, up from 3,421 in the 2010 census. The proposed OIC zoning designation will provide a necessary service for the neighborhood's growing population.

(2) The availability of public facilities;

The area is well-served by public utilities and services and no negative impacts are expected as a result of rezoning the Property.

(3) Present and future transportation patterns;

The Reisterstown Station neighborhood is a transit hub with a major metro stop and an abundance of bus routes. The rezoning of the Property from I-1 to OIC would not impact the area's transportation patterns.

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

The proposed rezoning is consistent with the existing character of the neighborhood and the Maryland Department of Transportation's (MDOT) upcoming 26-acre redevelopment within one mile of the Property. The existing structure is of a type that could be used for other uses than strictly industrial uses, and the proposed rezoning would allow other appropriate uses in this 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	Unfavorable
Board of Municipal and Zoning Appeals	Unfavorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Unfavorable
Baltimore Development Corporation	Unfavorable

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

The proposed rezoning will support the Comprehensive Plan and, specifically, its goal of retaining and attracting businesses in growth sectors by permitting the Property to provide a service that will support surrounding residents and employees.

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

While there are some industrial uses in close vicinity of the Property, there are also a number of religious institutions, carry-out food facilities, and there is a large office complex. The varied surrounding uses including the office complex make the Property more compatible with the transitional OIC zoning designation.

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

The Property is located within one-block of commercially zoned properties, within three-blocks of residentially zoned properties, and within three-blocks of both OIC and TOD zoned properties. The diversity of the surrounding zoning classifications exemplifies the Property's need for transitional zoning.

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

The Property is not suited for the uses permitted under its existing I-1 zoning, which severely restricts the number and type of uses that could be authorized at this site. As a result, the Property has been vacant for some time.

- (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;

The Property has been vacant for years. As noted above, MDOT has announced a plan to redevelop 26-acres in the neighborhood for both commercial and residential uses. The OIC Zoning District designation will be ideal to promote complimentary uses for the upcoming development.

- (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:

While the Reisterstown Station neighborhood has strong industrial roots, in recent years it has grown into a mixed-use area. The Reisterstown Plaza Station transportation hub has fostered the development of office and commercial spaces in the surrounding area and, in September 2019, MDOT announced plans to re-develop 26 acres of land within one mile of the Property. Development proposals for the project include elderly housing, retail, and commercial uses, which will transition this area away from its traditionally industrial character.

The Reisterstown Station neighborhood therefore is no longer a purely industrial area, but has instead evolved into a mixed-use, transit-oriented hub. The neighborhood's changing character is evidenced by the fact that the proposed 26-acre redevelopment does not propose any industrial uses, and also by the fact that the Property has long been vacant: Were the industrial characterization still appropriate, the Property would not have stood vacant so long. The proposed OIC zoning classification is a more appropriate transitional zoning classification that will allow for the area to develop in support of the Reisterstown Station transit hub and the upcoming 26-acre redevelopment.

- (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:

Intentionally left blank.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated October 9, 2020, which included the Department of Planning Staff Report, dated October 8, 2020.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Eric Tiso, Planning Department
- Hilary Ruley, Law Department
- Caroline Hecker, Esquire, Representative for the Applicant

Written:

- Department of Transportation, Agency Report – Dated November 8, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated November 5, 2020
- Law Department, Agency Report – Dated October 28, 2020
- Department of Housing and Community Development, Agency Report – Dated October 30, 2020
- Baltimore Development Corporation, Agency Report – Dated October 27, 2020
- Caroline Hecker, Esquire, Memorandum and Accompanying Exhibits – Dated October 8, 2020

COMMITTEE MEMBERS VOTING IN FAVOR

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