

# ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 22-0297

MOTION OF THE CHAIR OF THE ECONOMIC AND COMMUNITY DEVELOPMENT 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:

#### **Rezoning – 2101 Washington Boulevard**

Upon finding as follows with regard to:

(1) Population changes;

There haven't been significant changes in residential density that would impact this particular rezoning proposal. Population according to the planning department has dropped over half of its population but with such a small population to begin with (total 64 residents in the area to 28) this is not as significant as it may seem.

(2) The availability of public facilities;

This area is well served by public infrastructure, the building is to be retained and there is no foreseen change to the way that the City will service the area.

(3) Present and future transportation patterns;

The proposed rezoning, and anticipated redevelopment of the site will not have any significant impact on transportation patterns in the immediate neighborhood.

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

The property is surrounded by either industrial uses, an interstate highway, or two nearby parks. As no change is proposed for the actual use of the property, there are no expected changes in compatibility.

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

Planning Commission	Favorable with amendment
Board of Municipal and Zoning Appeals	Deferring to the planning commission
Department of Transportation	No Opposition
City Solicitor	Approve for form and sufficiency pending amendment
Department of Housing and Community Development	Support
Baltimore Development Corporation	Favorable
Parking Authority	No Opposition

- (6) The proposed amendment's relationship to and consistency with the City's Comprehensive Master Plan.  
 There are no relevant specific plans for this area that would affect the consideration of this bill.
- (7) Existing uses of property within the general area of the property in question;  
 This property is located adjacent to industrially zoned parcels on either side of Washington Boulevard north of the site. Directly across the street is the entry drive to the Carroll Park Golf Course. South of the property is the I-95 right-of-way, with the Maisel Street park and industrial uses beyond the highway to the south.
- (8) The zoning classification of other property within the general area of the property in question;  
 This property is adjacent to an IMU-1 zone to the north, I-2 industrial zone to the east, OS across the street to the west (Carroll Park Golf Course), and addition OS (Maisel Street Park) and I-1 zoning across the highway to the south.
- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;  
 As the use of the property will not change, it will continue to be suitable for continued 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 from development in the immediate area of this property. Zoning designations for the area remained fairly consistent from the prior zoning code, with the exception of the subject property, and with the OS zoning that was created in the current zoning code that didn't have an equivalent classification under the old code.
- (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:
- (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:

This property is located at the intersection of four neighborhood areas, adjacent to an interstate highway, between two parks, and is otherwise surrounded by industrial zoning. At the time of the Comprehensive Rezoning, the owners of the property were considering changing the use of the building to include more commercial uses, and petitioned to have their property rezoned. Since it was part of the City-wide Comprehensive Rezoning effort, it was not necessary at the time to meet the factors required for rezoning of land, as the Commission must do when considering properties by themselves. For that reason, it wasn't remarkable that this was a standalone property with C-2 zoning. Staff understands that in recent years, the owners have changed their minds, and would like to return the property to industrial zoning.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated November 30<sup>th</sup>, 2023.

[X] Testimony presented at the Committee hearing. February 6<sup>th</sup>, 2024

Oral – Witness:

Eric Tiso – Department of Planning

Hilary Ruley – Department of Law

Jason Wright – Department of Housing & Community Development

David Garza – Baltimore Development Corporation

Liam Davis – Department of Transportation

Written:

- Planning Commission Report December 1, 2023
- Department of Transportation, Agency Report February 1, 2024
- Board of Municipal and Zoning Appeals, Agency Report January 30, 2024
- Law Department, Agency Report January 3<sup>rd</sup> 2024
- Department of Housing and Community Development, Agency Report February 6, 2024
- Parking Authority, Agency Report December 5, 2022

**COMMITTEE MEMBERS VOTING IN FAVOR**

Sharon Green Middleton, Chair

John Bullock

Mark Conway

Ryan Dorsey