

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

FINDINGS OF FACT

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 ARTICLE 32, SECTION 5-406 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING:

City Council Bill No. 23-0371

Zoning - Conditional Use - Residential-Care Facility (Age-Restricted) - 201 Homeland Avenue and a Portion of Block 5027, Lot 003

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 bill authorizes the establishment, maintenance, and operation of a residential-care facility (age-restricted) with 171 units on the property known as 201 Homeland Avenue and a portion of Block 5027, Lot 003. This use is compatible with the use mix allowed in the EC-2 district, as a residential use as well as for the potential for educational connections. Establishment, location, construction, maintenance, and operation of the property as a residential-care facility (age-restricted) will not negatively impact public health, safety, or welfare.

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

The subject properties are not located in an Urban Renewal Plan area. A pending amendment to the Zoning Code (Bill #23-0370) would add Residential-Care Facilities (Age-Restricted) as a conditional use requiring an ordinance in the EC-2 Educational Campus zoning district. Provided that amendment is enacted, the proposed use would not be precluded by any other law.

3. the authorization **would not** be contrary to the public interest **for the following reasons:**

Use of this property as a residential-care facility (age-restricted) is in the public interest because it will provide an important service for the public, and the applicant has worked with community stakeholders regarding the proposed development.

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

Use of this property as a residential-care facility (age-restricted) will provide an important service for the public with no negative impact on public health, safety, or welfare.

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

1. the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

201 Homeland Avenue is located on the south side of the street, approximately 1,425' east of the intersection with North Charles Street, which is the entire northern boundary of Block 5027, Lot 003. 201 Homeland Avenue is currently improved with a two-story banquet hall. Both properties are zoned EC-2. 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;

The proposed use will not change traffic patterns, and the specific development plans must be approved by the Planning Commission.

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

While the campus is considered to be a neighborhood of its own, these properties are located on the southern edge of the Homeland neighborhood, which is predominantly low density residential in nature, comprised mainly of single-family detached dwellings. Institutional buildings are scattered along the periphery of the neighborhood along main corridors. This use is compatible with the use mix allowed in the EC-2 district, as a residential use as well as for the potential for educational connections. For this reason, it is unlikely that the proposed use would impair present or future development.

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.

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;

While the campus is considered to be a neighborhood of its own, these properties are located on the southern edge of the Homeland neighborhood, which is predominantly low density residential in nature, comprised mainly of single-family detached dwellings. Institutional buildings are scattered along the periphery of the neighborhood along main corridors. This use is compatible with the use mix allowed in the EC-2 district, as a residential use as well as for the potential for educational connections. For this reason, the proposed use is consistent with the character of the neighborhood.

10. the provisions of the City's Comprehensive Master Plan;

The proposed use is consistent with the Comprehensive Master Plan for Baltimore.

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;

A pending amendment to the Zoning Code (Bill #23-0370) would add Residential-Care Facilities (Age-Restricted) as a conditional use requiring an ordinance in the EC-2 Educational Campus zoning district. Provided that amendment is enacted, the proposed use would meet 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 considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Commission's report, dated April 28, 2023, including the Department of Planning Staff Report, dated April 27, 2023.

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Elena DiPietro, Law Department
- Eric Tiso, Planning Commission
- Liam Davis, Department of Transportation
- Stephanie Murdock, Department of Housing and Community Development
- Sadaf Omar, Baltimore Development Corporation
- Arco Sen, Parking Authority
- Nina Themelis, Mayor's Office of Government Relations

Written:

- Department of Transportation, Agency Report – Dated June 16, 2023
- Board of Municipal and Zoning Appeals, Agency Report – Dated April 3, 2023
- Law Department, Agency Report – Dated June 15, 2023
- Department of Housing and Community Development, Agency Report – Dated May 4, 2023
- Baltimore Development Corporation, Agency Report – Dated June 20, 2023
- Fire Department, Agency Report – Dated April 24, 2023
- Parking Authority, Agency Report – Dated May 5, 2023

COMMITTEE MEMBERS VOTING IN FAVOR

Sharon Green Middleton, Chair

John Bullock

Mark Conway

Odette Ramos

Robert Stokes