

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

FINDINGS OF FACT

City Council Bill No: 21-0180

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 THE REZONING OF:

Rezoning - 2525 Insulator Drive

Upon finding as follows with regard to:

(1) Population changes;

According to the ACS 5-year Estimate Survey and the 2020 Census, the Property's census tract (tract 2303) has experienced population growth since 2017, going from approximately 1,306 residents to approximately 1,617 residents in three years.

(2) The availability of public facilities;

There are adequate public facilities available in the area where this property is located, and there are no plans to reduce or remove any of these facilities. Due to the construction in the area, the availability of public facilities may increase.

(3) Present and future transportation patterns;

Due to the construction of the new streets and parcels of Port Covington, there are currently road closures. Once construction is completed there will be a new road network in the area. However, both Insulator Drive and Cromwell Street will remain. The existing Cromwell Street will shift and there will be additional access points near this parcel.

According to the Department of Transportation, the property falls within the Baltimore City Department of Transportation's South Baltimore / Middle Branch B Traffic Mitigation Zone and is subject to the City's traffic impact mitigation requirements.

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

Uses that would be authorized by rezoning this property to PC-3 would be completely compatible with existing and planned uses for the area. There are very few existing uses and are primarily commercial. The construction underway will provide for housing that does not currently exist and increased commercial. The surrounding area is the only other area of the City that has the PC zoning categories. The PC-3 zoning category is immediately to the west, while the PC-4 zoning category is immediately to the East. In addition, other properties in the Port Covington plan area are zoned either PC-1 and PC-2. There is little I-2 zoned property remaining.

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

The Planning Commission voted to recommend passage of the bill with eight members being present (seven in favor and one abstention). The BMZA deferred to the Planning Commission. The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Parking Authority	Not Opposed

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

Changing the zoning of the subject property to PC-3 would make it part of the continuous chain of the Port Covington zoning category that was created for this area. It has been applied to the majority of the Port Covington area thus helping to meet the Comprehensive Master Plan objective of providing more housing choices, recreational opportunities, retaining and attracting businesses in growth sectors of the economy.

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

This portion of the City had historically been an industrial hub for the City of Baltimore. Over the course of several decades most of the heavy industry left and slowly

transitioned to either light industry (Baltimore Sun and Sagamore Spirit) or commercial/office (Walmart, Sam's Club, Under Armour). Locke Insulator was one of the few remaining heavy industry sites. When it closed in 2017, the plans for the surrounding 260-acre area were well underway and contemplated to become mixed use. Given there is no current existing use, there is the opportunity for a new use for the Locke Insulator property to integrate into the larger plan for the area.

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

The majority of the properties in the area are zoned to a PC-1, PC-2, PC-3 or PC-4. There are very few I-2 properties remaining and they are not immediately adjacent.

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

While this property is suitable for the non-residential uses permitted under its existing zoning classification, the current zoning classification does not allow for residential use, which is the intended future use. In addition, the surrounding properties have been rezoned to the PC zoning districts.

- (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;

This property was placed in its zoning category in 2016 and enacted in June 2017. As mentioned above, the Port Covington area as a whole, has undergone a huge transformation including the subdivision for a new street grid and development parcels, as well as design approval for seven of those development parcels. This includes 5 building sites and two parks that are intended to become City owned.

- (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:

Maryland Land Use Article stipulates that a rezoning can only be approved based on either substantial change or mistake. Planning Staff does not find any evidence of a mistake in zoning 2525 Insulator Drive I-2 in the 2016/2017 zoning code rewrite. The first, most significant change was the enactment of the new code itself that allowed for the effectuation of the new PC zoning categories. The second most significant change was the closing of Locke Insulator.

Immediately following enactment of the code, for the first time this area was no longer zoned for just heavy industry. These categories never before existed in the City and provided the legal underpinning for the physical improvements that were to follow and further the implementation of the plan that was adopted in 2016.

In 2018, City staff from the Departments of Planning, Transportation, and Public Works, along with BDC staff, met with representatives from Weller Development over the course of several months to establish the basic dimensions and design features of this subdivision submission that would create the new Port Covington infrastructure and parcels of Chapter 1. The first building designs were approved a few months after the initial subdivision. This subdivision was approved in April 2019 Subdivision II and in July 2019 Final Development Plan Approval was given to the building in Chapter I. Two new parks have also been approved, Triangle Park in 2020 and Cromwell Street Park in 2021. The creation of the new street grid and the new development parcels focused on the following aspects:

- 1) Realignment of East Cromwell Street
- 2) Creation of Atlas Street and other connecting Streets
- 3) Establishment of new block structure and development parcels (approximately 15 parcels created)
- 4) Final Development Plans are approved for E1- 250 Atlas Street, E5A & E5B - 2200 Anthem Street, E6 -10 Rye Street, E7- 301 Atlas Street, Triangle Park and Cromwell Street Park.

The image below shows the approved grid for Chapter I, the location of the approved building sites outlined in red and the creation of two new parks: Triangle Park and Cromwell Street Park. In the image, one can see the Locke Insulator property in the lower left corner (highlighted with a red star). The streets and new buildings for Port Covington Chapter I are well under construction. The new building construction represents approximately 1 million square feet of new mixed-use development that was approved and started construction after June 5, 2017. This does not include the new streets under construction and the two new parks recently approved.



In addition, while the plans for the Under Armour World Headquarters campus have not been implemented as shown in the 2016 PUD amendment, there are plans under review for a sports facility.

- (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):

[X] Planning Report – Planning Commission’s report, dated December 3, 2021, which included the Department of Planning Staff Report, dated December 2, 2021.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Tamara Wood, Planning Department
- Elena DiPietro, Law Department
- Justin Williams, Representative for the Applicant

Written:

- Planning Commission’s report, dated December 3, 2021, which included the Department of Planning Staff Report, dated December 2, 2021
- Department of Transportation, Agency Report – Dated March 7, 2021
- Board of Municipal and Zoning Appeals, Agency Report – Dated January 24, 2022
- Law Department, Agency Report – Dated March 7, 2022
- Department of Housing and Community Development, Agency Report – Dated February 23, 2022
- Baltimore Development Corporation, Agency Report – Dated December 30, 2021
- Parking Authority, Agency Report – Dated November 22, 2021

COMMITTEE MEMBERS VOTING IN FAVOR

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