

# WAYS AND MEANS COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 24-0561

MOTION OF THE CHAIR OF THE WAYS AND MEANS 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:

### **Repeal of Ordinance 04-824 – Repeal of Ordinance 99-573, as Amended by Ordinance 00-093 - Planned Unit Development - 4221 Shannon Drive**

Upon finding as follows with regard to:

- (1) Population changes;
  - a. N/A
- (2) The availability of public facilities;
  - a. N/A
- (3) Present and future transportation patterns;
  - a. N/A
- (4) Compatibility with existing and proposed development for the area;
  - a. N/A
- (5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals:

City Solicitor	Approve for form and sufficiency
Dept of Housing & Community Development	Favorable
Baltimore Development Corporation	Favorable
Dept of Transportation	No Objection
Planning Commission	Favorable

- (6) The proposed amendment's relationship to and consistency with the City's Comprehensive Master Plan.
  - a. N/A
- (7) Existing uses of property within the general area of the property in question;

- a. N/A
- (8) The zoning classification of other property within the general area of the property in question;
- a. Under the prior zoning code, the outdoor storage of materials was not permitted. Under today's zoning code Outdoor Storage Yards are a permitted use under this area's current zone. The primary purpose for the establishment of this PUD is no longer necessary.
- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;
- a. N/A
- (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;
- a. This site is located in the Orchard Ridge neighborhood, which is located between Erdman Avenue and the Herring Run Creek. This area has commercial uses along Erdman Avenue, as well as the campus of the Archbishop Curley High School. The center of the neighborhood features a residential community that is predominantly comprised of rowhomes, with one apartment building, and a small grouping of detached homes. The northeastern edge of the neighborhood has industrial users fronting on Shannon Drive.
- (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:
- a. Given that the PUD was created for a reasonable purpose nearly 25 years ago, but the minor zoning concerns of that time have been solved by a more modern zoning code, there will be no evident change to the existing uses, and therefore no visible impacts will be seen by the adjacent community. The existing business will be able to continue operations under the requirements of the underlying zoning district. No additional staff time or resources will be devoted following the repeal of this PUD.
- (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 August 23, 2024

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Elena DiPietro, Law Department
- Eric Tiso, Planning Commission
- Luciano Diaz, Department of Transportation
- Jason Wright, Department of Housing and Community Development
- Tom Whelley Baltimore Development Corporation

Written:

- Baltimore Development Corporation Report – Dated August 15, 2024
- Department of Transportation, Agency Report – Dated August 16, 2024
- Law Department, Agency Report – Date July 31, 2024
- Department of Housing and Community Development, Agency Report – Dated September 10, 2024

**COMMITTEE MEMBERS VOTING IN FAVOR**

**Eric Costello, Chair**  
**Sharon Middleton**  
**Kristerfer Burnett**  
**Isaac Schleifer**