

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0513 / REPEAL OF ORDINANCE 99-533, AS AMENDED BY ORDINANCE 16-569 - NEW SHILOH BAPTIST CHURCH PLANNED UNIT DEVELOPMENT		

TO

The Honorable President and  
 Members of the City Council  
 City Hall, Room 400  
 100 North Holliday Street

DATE: May 10, 2024

At its regular meeting of May 9, 2024, the Planning Commission considered City Council Bill #24-0513, for the purpose of repealing Ordinance 99-533, as amended by Ordinance 16-569, which designated certain properties a Business Planned Unit Development known as New Shiloh Baptist Church; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #24-0513 and adopted the following resolutions, with eight members being present (seven in favor, one abstained):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0513 be **approved** by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Nina Themelis, Mayor's Office  
 The Honorable Eric Costello, Council Rep. to Planning Commission  
 Mr. Colin Tarbert, BDC  
 Ms. Rebecca Witt, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Stephanie Murdock, DHCD  
 Ms. Elena DiPietro, Law Dept.  
 Mr. Francis Burnszynski, PABC  
 Mr. Liam Davis, DOT  
 Ms. Natawna Austin, Council Services



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

*Sean D. Davis, Chair; Eric Stephenson, Vice Chair*

### STAFF REPORT



Chris Ryer  
Director

**May 9, 2024**

**REQUEST:** City Council Bill #24-0513/ Repeal of Ordinance 99-533, as Amended by Ordinance 16-569 - New Shiloh Baptist Church Planned Unit Development:

For the purpose of repealing Ordinance 99-533, as amended by Ordinance 16-569, which designated certain properties a Business Planned Unit Development known as New Shiloh Baptist Church; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Eric Tiso and Matt DeSantis

**PETITIONER:** Bon Secours Community Works c/o John Parks

**OWNER:** The New Shiloh Baptist Church, Inc.

#### **SITE/GENERAL AREA**

Site Conditions: This Planned Unit Development (PUD) area roughly includes the large properties on the east side of North Payson Street from Clifton Avenue to Elgin Avenue, and the properties on the north side of Elgin Avenue between Monroe Street, and the rears of the properties fronting on North Pulaski Street.

General Area: This site is located in the eastern portion of the Mondawmin neighborhood, which includes Mondawmin Mall, the campuses of the Frederick Douglass High School and Coppin State University, and the residential area bounded by West North Avenue to the south, North Fulton Avenue on the east, and Reisterstown Road on the northeast.

#### **HISTORY**

- On November 18, 1999, Ordinance #99-533 established the New Shiloh Baptist Church PUD.
- On August 17, 2000, the Planning Commission approved a minor amendment to the New Shiloh Baptist Church PUD to accommodate an approved child care center on the site.
- On September 8, 2005, the Planning Commission approved a Minor Amendment, Final Design, and Final Subdivision and Development Plans to accommodate a new senior building on the site.
- On June 15, 2006, the Planning Commission approved a Final Design Approval for the Head Start Daycare Center at 2030 Elgin Avenue.
- On November 18, 2016, Ordinance #16-569 amended the New Shiloh Baptist Church PUD.

## ANALYSIS

Article 32 – *Zoning* §13-205 provides for the repeal of PUDs:

“In determining whether to approve the repeal of a planned unit development, the Planning Commission and the City Council must find that:

- (1) the repeal of the planned unit development is in the public interest; and
- (2) the approved final development plan of the planned unit development:
  - (i) has been substantially completed;
  - (ii) is no longer necessary in light of the property's underlying zoning;
  - (iii) is no longer consistent with the City's Master Plan; or
  - (iv) has been abandoned by the property owner.”

Under the prior zoning code, the mix of uses proposed for the Planned Unit Development either required a conditional use by Ordinance (*e.g.* Housing for the Elderly, Convalescent, nursing, & rest homes, Banquet Halls), or the parking and bulk requirements for the proposed development wouldn't have met underlying zoning requirements on a lot-by-lot basis. For those reasons, the PUD was created to have a legislative process once, as opposed to for each separate use, and to establish an overall parking and density requirement among the several parcels.

The PUD area has subsequently been rezoned to R-8 residential under the comprehensive rezoning of the City in 2017, and the last development lot available would be better developed under the existing zoning district. Specifically, the proposed New Shiloh 3 multi-family apartment building slated for this northern-most parcel in the PUD (2300 Monroe Street) is not permitted by the existing PUD Development Plan, as the plan had originally envisioned this portion of the site being developed for either a trade school, adult day care center, or seminary. Therefore, to allow the development of this 50-unit apartment building, the applicant had the options of either repealing and replacing the PUD to allow for this new use on this site or simply repealing the PUD.

The existing uses that have been developed will continue as either permitted or lawfully established conditional uses. For this reason, the PUD is no longer necessary, and per §13-205(2)(ii) it can be repealed.

### Equity:

Given that the PUD was created for a reasonable purpose 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 surrounding community. Future development on the last development parcel will proceed according to the underlying zoning requirements. No additional staff time or resources will be devoted following the repeal of this PUD.

Notification: The Greater Mondawmin Coordinating Council and the RW Coleman Neighborhood Association have been notified of this action.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

**Chris Ryer**  
**Director**