

# **LAND USE AND TRANSPORTATION COMMITTEE**

## **FINDINGS OF FACT**

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION 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: 3127 EAST BALTIMORE STREET

### **CITY COUNCIL BILL NO: 19-0453**

#### **REZONING**

Upon finding as follows with regard to:

(1) Population changes;

The population of the Neighborhood continues to change as properties like the subject of this Bill are redeveloped for a variety of commercial and residential uses.

(2) The availability of public facilities;

Adequate public facilities are available for a variety of uses.

(3) Present and future transportation patterns;

The property is in close proximity to various transit routes.

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

The rezoning is compatible with all existing and proposed development in the immediate area.

(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 staff has expressed an unfavorable position and the Planning Commission will review the Bill on November 12<sup>th</sup>, 2020. The BMZA recommended passage of the Bill.

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

**Conforms** to Comprehensive Plan (LIVE Goal 1, Objectives 1, 2, and 5; Goal 2, Objective 4; PLAY Goal 1, Objective 4),   X  

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

There are a mix of Commercial and Residential Uses in the general area

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

There are Commercially zoned properties in proximity to the subject property and in the general area, including C-1 property one block away.

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

The property is NOT a rowhouse property as it's existing R-8 zoning would suggest.

(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 are currently multiple development projects of a mixed use and commercial nature in the general area of southeast Baltimore.

(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:

There have been multiple changes to former institutional, industrial and residential sites that are now being developed as mixed use and commercial properties. The population of the neighborhood is growing and changing.

(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:

It was a mistake to zone the site a "R-8 Rowhouse District" property. The church is no longer actively operating and was being contemplated as a redevelopment site at the direction of community charette over the last several years.