

# ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 21-0026

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 - 1201 South Caton Avenue**

Upon finding as follows with regard to:

(1) Population changes;

There has not been a significant change in population in the immediate area that would affect this proposal in any material way. Overall, the City has been losing industrially zoned land in recent years, and this would provide for an additional property that is appropriately sized and shaped, and that is desirable for light industrial uses.

(2) The availability of public facilities;

This area is served by City utilities that are adequate for a wide range of uses and intensity of redevelopment.

(3) Present and future transportation patterns;

This area is a part of the City's street grid, and will not negatively impact transportation or traffic patterns. South Caton Avenue is listed as a Through Truck Route by the Department of Transportation.

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

As this property is located at the intersection of South Caton Avenue and I-95, this site is well suited to warehouse and distribution center use, as trucks will have immediate highway access, and will not need to cross through residential areas to do so. It is also contiguous to additional I-1 zoned land to the east and west, bordering the I-95 corridor.

- (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 unanimously to recommend passage of the bill. The Board of Municipal Zoning Appeals defers 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 the Department of Planning
Department of Transportation	No Objection
City Solicitor	Favorable/Comments
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	Favorable

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

The Comprehensive Master Plan's EARN Goal 1, Objective 1: Retain and Attract Businesses in all Growth Sectors. Following rezoning, the Property would be eligible for redevelopment, which has the potential to create a significant number of new jobs in this community.

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

This property is adjacent to the former Cardinal Gibbons campus that is being redeveloped for mixed commercial and potentially residential use. The proposed I-1 zone will be compatible with the existing and future development for this area, and is positioned to take advantage of its placement at an interstate highway intersection.

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

This property would join two I-1 zones along the I-95 corridor to the east and west. The adjacent C-2 and OR-2 will not be negatively impacted by the proposed rezoning. The only adjacent residentially-zoned land is an R-6 to the west across South Caton Avenue, which is a large multi-family senior-housing complex and the related services (Jenkins Senior Living, The Neighborhoods at St. Elizabeth, Caritas House, St. Ann Day Services, and DePaul House). The R-3 zone on the south side of I-95 is separated from the proposed rezoning by the highway's cloverleaves (some 750' across), and it will not be directly affected by 1201 South Caton Avenue.

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

This property is perfectly suited for light industrial use, as it will connect existing I-1 land, and is placed right at the interstate highway intersection, which is advantageous for the proposed warehouse/distribution uses.

- (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;

The most recent developments in the area are on the campus of St. Agnes Hospital, and the mixed-use development around the Babe Ruth Field at Cardinal Gibbons. The surrounding neighborhood has been stable, with little other development in recent years.

- (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:

Department of Planning staff recommends that the Planning Commission find that there has been a significant change in the character that would support the requested rezoning. The closure of the Seton Keough High School occurred just at the end of the Comprehensive Rezoning process of the City, which was voted through Council in December of 2016, later to take effect in June of 2017. In the several years since, there has been no interest for any educational institution to use this property. If the property is not viable for educational use, then the EC-1 Educational Campus zoning is no longer appropriate. For this reason, staff recommends approval of this bill.

- (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 (apply): Check all that

[X] Planning Report – Planning Commission’s report, dated February 26, 2021, which included the Department of Planning Staff Report, dated February 25, 2021.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Eric Tiso, Planning Department
- Victor Tervalo, Law Department
- Nina Themelis, Office of the Mayor, Testifying for the Board of Municipal Zoning Appeals
- Caroline Hecker, Representative for the Applicant

Written:

- Department of Planning, Agency Report – Dated February 26, 2021
- Department of Transportation, Agency Report – Dated March 29, 2021
- Board of Municipal and Zoning Appeals, Agency Report – Dated April 13, 2021
- Law Department, Agency Report – Dated April 9, 2021
- Department of Housing and Community Development, Agency Report – Dated April 5, 2021
- Baltimore Development Corporation, Agency Report – Dated March 25, 2021

**COMMITTEE MEMBERS VOTING IN FAVOR**

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