

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

FINDINGS OF FACT

City Council Bill No: 23-0443

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:

Rezoning – 3500 West Forrest Park Avenue

Upon finding as follows with regard to:

- (1) Population changes;
 - a. There has not been a significant change in population since the establishment of the current Zoning Code.
- (2) The availability of public facilities;
 - a. This site is served by existing utilities and public facilities, which will not be affected by the proposed change in zoning for this property.
- (3) Present and future transportation patterns;
 - a. This site is accessible by City streets, in the established grid of this neighborhood, which are not proposed to be changed or impacted by this proposed action.
- (4) Compatibility with existing and proposed development for the area;
 - a. The proposed action will be compatible with the existing residential zoning of this block, or the surrounding neighborhood, as the surrounding properties are zoned R-1.
- (5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

Planning Commission	Support
Board of Municipal and Zoning Appeals	Defer to Planning
Department of Transportation	No Objection
City Solicitor	Approve for form and sufficiency

Department of Housing and Community Development	Support
Baltimore Development Corporation	No Objection
Parking Authority	Supports

- (6) The proposed amendment's relationship to and consistency with the City's Comprehensive Master Plan.
- a. This bill will revert the residential property back to the R-1 district, facilitating its residential renovation and reuse. This will support the housing component of the City's plan.
- (7) Existing uses of property within the general area of the property in question;
- a. The predominant use of the properties in the Forest Park neighborhood is residential in nature, which has not functionally changed under the current Zoning Code.
- (8) The zoning classification of other property within the general area of the property in question;
- a. This site is surrounded by R-1 and R-6 residential districts. The Forest Park neighborhood is residentially zoned, including R-1-E, R-1, R-5, R-6, and R-8 districts, according to their building types. There is a C-2 commercial node at the intersection of Liberty Heights and Garrison Boulevard, three blocks to the west, and one small C-1 node four blocks to the south at Garrison Boulevard and Edgewood Street.
- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;
- a. A detached residential dwelling is not permitted in the C-1 district, which makes the renovation of the existing vacant home illegal. This rezoning bill would correct that mistake.
- (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 neighborhood has remained stable in its development patterns, even after the Citywide rezoning in 2017. No significant development or change in the area has occurred that would invalidate the appropriateness of the residential zoning for these properties.

- (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. Not applicable

- (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:
 - a. There was a clear mistake in the prior rezoning of this parcel which this bill will correct

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated December 11, 2023

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Elena DiPietro Law Department
- Jason Wright Department of Housing and Community Development
- Matt DiSantis Department of Planning
- David Garza Baltimore Development Corporation
- Liam Davis Department of Transportation
- Kris Misage Parking Authority

Written:

- Planning Department Staff Report – Dated November 30, 2023
- Baltimore Development Corporation Report – Dated November 20, 2023
- Department of Transportation, Agency Report – Dated February 23, 2024
- Board of Municipal and Zoning Appeals, Agency Report – Dated November 7th, 2023
- Law Department, Agency Report – Dated February 26, 2024
- Department of Housing and Community Development, Agency Report – Dated February 27, 2024
- Parking Authority, Agency Report – Dated November 28th, 2023

COMMITTEE MEMBERS VOTING IN FAVOR

Sharon Green Middleton, Chair

Odette Ramos

Robert Stokes

John Bullock