

## LAND USE & TRANSPORTATION COMMITTEE

### FINDINGS OF FACT

#### City Council Bill No. 25-0118

MOTION OF THE CHAIR OF THE LAND USE COMMITTEE AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING:

#### **Planned Unit Development – Designation – Tivoly Eco-Village**

#### **IN GENERAL:**

*To approve this PUD, the City Council has considered:*  
(check to evidence consideration)

- whether the planned unit development is in general conformance with all elements of the Comprehensive Master Plan, and the character and nature of existing and contemplated development in the vicinity of the proposed planned unit development;

Bill 25-0118 is aligned with the master plan and with the City's carbon reduction goals. The creation of this PUD is a key part of the Coldstream Homestead Montebello Impact Investment Area.

- whether the planned unit development will preserve unusual topographic or natural features of the land, and the design of the planned unit development will best utilize and be compatible<sup>3</sup> with the topography of the land;

The site is relatively flat with a slope from the highest point near Hugo Street of 204' above sea level, to a low point at the center of the rear of Tivoly Street of 167' above sea level. The buildings are situated along the existing street grid which integrates the slope.

- whether the physical characteristics of the planned unit development will not adversely affect future development or the value of undeveloped neighboring areas, or the use, maintenance, or value of neighboring areas already developed;

The proposed Eco-Village will not adversely affect the development or value of the neighboring properties. As designed, the development will fill in vacant land creating more density and activity within the larger community. The unique aspects of the development including the smaller lot areas, increased lot coverage, and setback requirements will allow an increased density within the detached dwelling typology requested by the community

- ☒ whether the planned unit development will provide the same protection as the basic district regulations in regard to fire, health hazards, and other dangers;

The planned unit development will provide the same protection as the basic district regulations. This plan has already been to Site Plan Review Committee, and received approval in August of this year.

- ☒ whether the planned unit development will encourage innovative design features or adaptive reuse of structures that would not be possible by application of the basic district regulations;

The planned unit development allows for the increased density while maintaining the detached dwelling typology desired by the community. It also makes it easier to meet the sustainability goals of the project.

- ☒ whether the planned unit development is compatible with any nearby industrial district.

There are no nearby industrial areas

*and finds that:*

- (1) the use **IS** compatible with the surrounding neighborhood for the following reasons:

The proposed planned unit development maintains residential use which is the primary use within the community, outside of the commercial buildings along Harford Road.

- (2) the use **FURTHERS** the proposed classification for the following reasons:

The proposed planned unit development and its creation of residential properties and a community center furthers the purpose of the proposed classification

- (3) the PUD master plan developed under Section 13-304 of the Zoning Code **ENSURES** there will be no discordance with existing uses by:

The master plan for the proposed planned unit development ensures that there will be no discordance with existing uses

- (4) the establishment, location, construction, maintenance, or operation of the PUD **WOULD NOT** be detrimental to or endanger the public health, safety, or welfare because:

The PUD has broad community support and with its proposed amenities and support of carbon reduction goals it will support the public welfare

(5) the use **WOULD NOT** be precluded by any other law, including an Urban Renewal Plan  
no other law would preclude this use

(6) the authorization **WOULD NOT** be contrary to the public interest because:

Because the community would receive over 100 new units returned to productive use  
revitalizing a distressed area

(7) the authorization **WOULD** be in harmony with the purpose and intent of the Zoning Code  
because:

The Authorization complies with the zoning code and is the result of a long process of  
work between the City and the community.

In addition, the City Council has considered the following -

- 1. The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;***
- 2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;***
- 3. The nature of the surrounding area and the extent to which the proposed use might impair its present or future development;***
- 4. The proximity of dwellings, churches, schools, public structures, and other places of public gathering;***
- 5. Accessibility of the premises for emergency vehicles;***
- 6. Accessibility of light and air to the premises and to the property in the vicinity;***
- 7. The type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;***
- 8. The preservation of cultural and historic landmarks and structures;***
- 9. The character of the neighborhood;***
- 10. The provisions of the City's Comprehensive Master Plan;***
- 11. The provisions of any applicable Urban Renewal Plan;***
- 12. All applicable standards and requirements of this Code;***
- 13. The intent and purpose of this Code;***
- 14. Any other matters considered to be in the interest of the general welfare. For all of these reasons, the Council finds the PUD amendment to be in the interest of the general welfare***

**SOURCE OF FINDINGS:**

[x] Planning Commission's report,

[x] Testimony presented at the Committee hearing

Oral – Witness:

Hilary Ruley – Attorney for Client

Eric Tiso – Department of Planning

Written:

- Board of Municipal and Zoning Appeals, Agency Report
- Law Department, Agency Report
- Department of Transportation, Agency Report
- Department of Housing and Community

**COMMITTEE MEMBERS VOTING IN FAVOR**

**Dorsey**

**Middleton**

**Parker**

**Gray**

**Porter**

**Blanchard**