

# ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 23-0359

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 - 600 North Paca Street

Upon finding as follows with regard to:

(1) Population changes;

The Seton Hill neighborhood's population had a small decrease from the 2010 Census population of 1,249 to 2020's Census population of 1,129.

(2) The availability of public facilities;

There will be no impact to provision of facilities as a result of this rezoning. The area is well served by public utilities, as well as fire and police protection.

(3) Present and future transportation patterns;

There will be no impact to the traffic patterns of this area as a result of the rezoning alone. Future development is unlikely to have a negative impact.

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

This religious institution campus, comprised of two- and three-story buildings, is compatible with the adjacent R-8 zoned properties immediately adjacent across North Paca Street. The campus will remain compatible once assigned the same R-8 zoning as the nearby homes.

- (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 to recommend approval of the bill and the BMZA deferred to the Planning Commission's recommendation. The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Parking Authority	Not Opposed

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

There is no public purpose or Master Plan call for this property to have been zoned OS. The assignment was made in error during the comprehensive rezoning of the entire City, likely because the property is surrounded by a publicly owned park. The property is privately owned land and is not a park or open space. Therefore, the rezoning to the compatible neighboring R-8 zone is appropriate.

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

The property is surrounded on the north, west, and south by Saint Mary's Park, which is largely ringed by two- and three-story attached homes. There are two-story commercial properties fronting on the north side of West Franklin Street (US Rt. 40).

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

The property is surrounded on the north, west, and south by Saint Mary's Park. Across the street to the east are two- and three-story attached homes. The commercial properties fronting on the north side of West Franklin Street (US Rt. 40) are two-story attached retail buildings that are zoned C-1. To the northwest of Saint Mary's Park, on the northwest side of the street, are more two- and three-story homes that are zoned R-8.

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

The property was zoned R-9 residential prior to the comprehensive rezoning of the City, and it will remain suitable for R-8 zoning under today's zoning code, as the uses of the property haven't changed.

- (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;

This community is generally built-out. There are no vacant parcels available for redevelopment that would potentially change the character of the neighborhood in the immediate future. The general nature of this area has remained stable for the past decade or more and is very likely to remain so in the future.

- (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:

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:

This property was rezoned from R-9 residential to OS (Open Space) as a part of the Comprehensive Rezoning of the City, effective in 2017. The rezoning of the property at that time was made in error, likely because the property is surrounded by a publicly owned park. The property does not meet the intention for the OS district and is not a publicly owned parcel. The property is improved with the Mother Seton House, the Historic Seminary Chapel, and St. Mary's Seminary campus. Most of the existing uses of the property are nonconforming in the OS zoning district.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated March 17, 2023.

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Michele Toth, Law Department
- Eric Tiso, Planning Commission
- Liam Davis, Department of Transportation
- Stephanie Murdock, Department of Housing and Community Development
- Luis Cardona, Baltimore Development Corporation
- Kristen Misage, Parking Authority
- Sophia Gebrehiwot, Board of Municipal and Zoning Appeals

Written:

- Planning Commission Report – Dated March 17, 2023
- Department of Transportation, Agency Report – Dated May 1, 2023
- Board of Municipal and Zoning Appeals, Agency Report – Dated December 5, 2022
- Law Department, Agency Report – Dated May 1, 2023
- Department of Housing and Community Development, Agency Report – Dated May 2, 2023
- Parking Authority, Agency Report – Dated March 24, 2023

**COMMITTEE MEMBERS VOTING IN FAVOR**

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