

# LAND USE & TRANSPORTATION COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 25-0142

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:

### Rezoning – 3605 Hickory Avenue

Upon finding as follows with regard to:

- (1) Population changes;
  - a. No significant population changes have been identified in the immediate area since the adoption of Transform Baltimore in 2017.
- (2) The availability of public facilities;
  - a. The area is well served by public facilities.
- (3) Present and future transportation patterns;
  - a. No substantial changes in present or future transportation patterns have been identified. The area remains served by roadways, sidewalks, and public transportation
- (4) Compatibility with existing and proposed development for the area;
  - a. The surrounding block face consists primarily of rowhouse dwellings. The site is within one block of the 36th Street commercial district, which contains many entertainment and restaurant uses. Allowing the rezoning and the proposed use will bring another compatible use to the area
- (5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

City Solicitor	Approved for form & sufficiency
Dept. of Housing & Community Development	Favorable
Dept of Transportation	Without Recommendation
Dept of Planning/ Planning Commission	Approve
Board of Municipal & Zoning Appeal	No Objection
Baltimore City Fire Department	No Recommendation

- (6) The proposed amendment's relationship to and consistency with the City's Comprehensive Master Plan.
  - a. The proposed rezoning to IMU-1 is consistent with the Master Plan, as it aligns with the Zoning Code's stated purpose of the district, which is to encourage the reuse of formerly industrial properties for neighborhood-compatible uses.
- (7) Existing uses of property within the general area of the property in question;
  - a. The immediate area includes residential and commercial uses.
- (8) The zoning classification of other property within the general area of the property in question;
  - a. The surrounding areas are zoned R-6, C-1, &R-7
- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;
  - a. The property has previously been used for light industrial uses and commercial activities
- (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. The trend in the immediate area is Commercial and Residential with the commercial strip of 36<sup>th</sup> street known as "the avenue" immediately south of the property
- (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:
- (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. Staff finds evidence that the current zoning designation is the result of a mistake. Prior to the comprehensive rezoning completed in 2017, the area was zoned R-7, as was much of the surrounding neighborhood. During the 2017 rezoning, known as Transform Baltimore, the property maintained its R-7 zoning designation, while the rest of the neighborhood was downzoned to R-6. The subject parcel was the only property in the immediate area that retained the R-7 zoning. Maintaining the higher-intensity residential zoning acknowledges that the property is unlike others in the area; however, the residential zoning designation fails to acknowledge the industrial history of the structure and the difficulties associated with converting it to residential use.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated January 16, 2026

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Jason Wright - Department of Housing and Community Development
- Gabe Stuart-Sikowitz – Department of Finance
- Ty’lor Schnella – Mayor’s Office of Government Relations
- Eric Tiso - Department of Planning
- Michelle Toth – Department of Law
- Tom Wellington – Baltimore Development Corporation

Written:

- Planning Department Staff Report – Dated January 15, 2026
- Baltimore City Fire Department – Dated December 19, 2025
- Department of Transportation – January 15, 2026
- Law Department, Agency Report – Dated April 7, 2026
- Department of Housing and Community Development, Agency Report – Dated April 22, 2026

**COMMITTEE MEMBERS VOTING IN FAVOR**

**Ryan Dorsey, - Chair**

**Phylicia Porter**

**Paris Gray**

**John Bullock**

**Mark Parker**