

LAND USE COMMITTEE

FINDINGS OF FACT

City Council Bill No: 20-0556

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 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 - 2087 Druid Park Drive

Upon finding as follows with regard to:

(1) Population changes;

There has not been a significant change in population in this area since June 5, 2017, when the current Zoning Code and map became effective. As this is a Census year, there may be population changes documented in the near future.

(2) The availability of public facilities;

All public facilities necessary to support use of the subject property are available and expected to remain available.

(3) Present and future transportation patterns;

There are no changes anticipated in present or future transportation patterns in this area.

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

Properties across Druid Park Drive and along Druid Park Drive to the east of the subject property are predominantly residential in use, with single-family homes (attached and semi-detached) predominating within that use. A small vacant property adjoining the subject property to the south would remain in the I-1 zoning district. The larger actively used property to the west, across Parklane Avenue and along Druid Park Drive, is commercial-industrial in use. On the other side of the vacant lot mentioned above is a large residential mixed-use area created as the Clipper Mill Planned Unit Development, established in 2003, in which office and residential uses predominate. Rezoning the subject property to the IMU-1 Zoning District would provide for a transitional zone between the industrial uses and the residential uses in 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;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
City Solicitor	Favorable with 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 rezoning supports the Comprehensive Master Plan's Goal 1 to strengthen neighborhoods by increasing housing choices and population along with elevating design quality and Goal 2 to promote Transit Oriented Development by removing the property from a zoning district that prohibits dwelling units.

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

Properties across Druid Park Drive, and along Druid Park Drive to the east of the subject property, are predominantly residential in use, with single-family homes (attached and semi-detached) predominating within that use. A small vacant property adjoining the subject property to the south would remain in the I-1 zoning district. The larger actively used property to the west, across Parklane Avenue and along Druid Park Drive, is commercial-industrial in use. On the other side of the vacant lot mentioned above is a large residential mixed-use area created as the Clipper Mill Planned Unit Development, established in 2003, in which office and residential uses predominate.

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

Immediately east of the subject property, along Druid Park Drive, and across Druid Park Drive, properties are in the R-6 zoning district. A small vacant property adjoining the

subject property to the south is in the I-1 zoning district. Further to the south and southwest are properties in the TOD-2 zoning district. West of the subject property, across Parklane Avenue and along the south side of Druid Park Drive, property is zoned I-1.

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

The subject property is not very suitable for modern industrial uses. Its relatively small size (approximately 5,800 square feet of lot area) and location remote from major freight transportation facilities or routes has rendered it functionally obsolete for industrial use.

- (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;

There have been no significant changes to development trends in the general area of the subject property. Interest in living in the historic community of Woodberry has continued to drive residential property values, while existing light industrial uses have continued in the larger industrially zoned areas.

- (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:

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- (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:

The existing I-1 zoning classification is inconsistent with the property's history as a residential and commercial/industrial property. The I-1 zoning ignored the existing residential uses, and thus failed to meet the goal to minimize non-conforming uses. Additionally, the property's relatively small size makes it non-viable for modern industrial use. The nearby neighborhood R-6 zoned properties are typical residential row homes and do not have former commercial/industrial uses like the subject property. Transform Baltimore's original IMU classification, and the more recent IMU-1 classification, was designed as a transition zone to accommodate this very situation.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated August 21, 2020, which included the Department of Planning Staff Report, dated August 20, 2020.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Martin French, Planning Department
- Victor Tervalá, Law Department
- Al Barry, Representative for the Applicant

Written:

- Department of Transportation, Agency Report – Dated October 20, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated September 28, 2020
- Law Department, Agency Report – Dated October 15, 2020
- Department of Housing and Community Development, Agency Report – Dated October 7, 2020
- Baltimore Development Corporation, Agency Report – Dated August 12, 2020
- Al Barry, Letter – Dated December 2, 2020

COMMITTEE MEMBERS VOTING IN FAVOR

Edward Reisinger, Chair
Shannon Sneed, Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Sharon Green Middleton
Leon Pinkett
Robert Stokes