

# ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 23-0432

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 - 3301 Saint Paul Street and 3311 through 3327 Saint Paul Street**

Upon finding as follows with regard to:

- (1) Population changes;
  - a. Between 2010 and 2020, population dropped by 2% from 8,906 to 8,794 (a total of loss of 112 residents).
- (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. As the property has not practically changed in its use, there are no expected impacts.
- (4) Compatibility with existing and proposed development for the area;
  - a. The property is surrounded by commercial uses, hospital uses, and higher-density multi-family residential uses. As no change is proposed for the immediate use of the property, there are no expected changes in compatibility. A future change to more commercial may impact the neighborhood positively, serving the residents and employees of the hospital.
- (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	Approve for form w/ amendments
Dept of Housing & Community Development	Favorable
Fire Dept	Does not oppose
Baltimore Development Corporation	Does not oppose

Parking Authority	Favorable
Dept of Transportation	Does not oppose
BMZA	Defers to Planning
Planning Commission	Favorable w/ amendments

- (6) The proposed amendment’s relationship to and consistency with the City’s Comprehensive Master Plan.
  - a. There are no relevant specific plans for this area that would affect the consideration of this bill.
  
- (7) Existing uses of property within the general area of the property in question;
  - a. These properties are located adjacent to properties with high-density residential uses to the west, commercial uses to the west and south, and hospital use to the east and north.
  
- (8) The zoning classification of other property within the general area of the property in question;
  - a. These properties are located adjacent to properties zoned R-10 High density Residential Districts to the west, C-1 Neighborhood Business Districts to the South, and H-1 Hospital Districts to the north and east.
  
- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;
  - a. As the use of the property will not change immediately, it will continue to be suitable for continued commercial and residential use. Correcting the zoning from R-8 to C-1 for the property located at 3329 Saint Paul Street (Block 3871, Lot 1) will also allow the long-operating restaurant to become a conforming use under Article 32 – Zoning.
  
- (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. There have not been significant changes from development in the immediate area of this property since 2017. Changes in the neighborhood prior to the 2017 adoption of Article 32 – Zoning, and the continued demand for housing and commercial development is apparent. The change from R-8 to C-1 on the neighboring block of 3200 block of Saint Paul Street, under the Comprehensive Rezoning, signal a mistake was made with this block remaining R-8.
  
- (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. This site is located in a neighborhood that has experienced a change of density and use over the last 25 years, moving from a primarily medium-density residential rowhouse neighborhood to a mix of commercial and higher-density multi-family buildings. This block of lower-density rowhouses being rezoned to C-1 provides a wider variety of opportunities for small ground-floor commercial uses in this location and makes sense based on the context. In the previous rezoning the properties under consideration where also being considered rezoning at the time – Councilwoman Ramos who represents the district now confirms that it was a mistake not to do so at that time.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated December 26, 2023

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Jason Wright - Department of Housing and Community Development
- Liam Davis – Department of Transportation
- Ty’lor Schnella – Mayor’s Office of Government Relations
- Kris Misage – Parking Authority

Written:

- Planning Department Staff Report – Dated December 21, 2023
- Baltimore Development Corporation Report – Dated February 27, 2024
- Department of Transportation, Agency Report – Dated March 27, 2024
- Board of Municipal and Zoning Appeals, Agency Report – Dated February 29, 2024
- Law Department, Agency Report – Dated October 23, 2023
- Department of Housing and Community Development, Agency Report – Dated April 2, 2024
- Parking Authority, Agency Report – Dated December 1, 2023

**COMMITTEE MEMBERS VOTING IN FAVOR**

**Sharon Green Middleton, Chair**

**Odette Ramos**

**Robert Stokes**

**John Bullock**

**Antonio Glover**

**Mark Conway**