

FIRST DAY

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SECOND COUNCILMANIC YEAR - SESSION OF 2020-2024

**JOURNAL**  
**CITY COUNCIL OF BALTIMORE**

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December 9, 2021

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**SHOWCASE BALTIMORE**

Saran Fossett, Executive Director of Aziza PE&CE, delivered a presentation.

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The meeting opened with a moment of silent reflection.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

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The City Council of Baltimore met pursuant to adjournment. Present: Nicholas J. Mosby, President, and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos.

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**JOURNAL APPROVED**

The Journal of December 6, 2021 was read and approved.

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**Journal of the City Council****COMMUNICATIONS FROM THE MAYOR****APPROVED BY THE MAYOR****OFFICE OF THE MAYOR**

December 6, 2021

The Honorable Nick J. Mosby, Council President  
And Members of the City Council  
Baltimore City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

Dear Honorable President Mosby and Members of the City Council:

I am pleased to inform your Honorable Body that I have signed into law this day the following bills:

**Bill 21-0058** – Real Property Tax – Installment Plans – For the purpose of authorizing that the real property taxes to be owed on certain properties may be paid through a monthly installment plan; establishing the maximum term for an installment payment plan in accordance with State law; requiring the Director of Finance to adopt regulations to implement this subtitle; defining certain terms; providing for a special effective date; and generally relating to installment payments of real property taxes in Baltimore City.

**Bill 21-0071** – Street Encroachment – 1707 Eastern Avenue – For the purpose of permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right-of-way on the south side of Eastern Avenue, on the property known as 1707 Eastern Avenue.

**Bill 21-0079** – Repeal of Ordinance 90-425 – Port Covington Planned Unit Development – For the purpose of repealing Ordinance 90-425, as amended by Ordinance 00-57, Ordinance 02-431, Ordinance 04-884, and Ordinance 16-572, which designated certain properties as an Industrial Planned Unit Development known as Port Covington; and providing for a special effective date.

**Bill 21-0089** – City Property - Naming the Property, Located at Ward 6, Section 9, Block 1318, Lot 2 (also known as 199 North Caroline Street), to be the Dante Barksdale Square – For the purpose of naming the City property located at Ward 6, Section 9, Block 1318, Lot 2 (also known as 199 North Caroline Street), to be Dante Barksdale Square.

**Bill 21-0093** – Revising Whistleblower Rights and Responsibilities – For the purpose of updating Article 1, Subtitle 8 {Whistleblower Rights and Responsibilities} of the City Code to define certain terms; requiring a whistleblower to report their complaint to their agency’s personnel officer or to the Office of the Inspector General if the whistleblower has a reasonable and articulable belief that the personnel officer cannot competently investigate the covered disclosure; requiring the Office of the Inspector General to give written notice of investigation or a notice of declination to the whistleblower within 30 days of receipt of the complaint; requiring the Office of the Inspector General, if initiating an investigation, to send a Memorandum of Protected Activity to the whistleblower’s supervisor; requiring the Office of the Inspector General to provide recommendations for action in the Office’s written findings of an investigation and to give the written findings to the City Administrator, the agency head, and the whistleblower; requiring the City Administrator to hold a meeting with the agency head and the Inspector General to discuss the recommendations within a certain amount of time; providing possible remedies in case of a violation of this subtitle; and conforming and clarifying related provisions.

**Bill 21-0099** – Study and Report – Tax Sale Accounting – For the purpose of requiring the Department of Finance and the Office of the City Administrator to submit a report outlining how they will address problems with the accounting system preventing residents from paying correct property taxes and problems with the tax lien sale system so that these problems are fixed before the next tax sale; and providing for a special effective date.

**Bill 21-0105** – RPP Area 26 (Campbell Lane) – Revisions – For the purpose of altering the applicable block faces included in Residential Parking Plan Area 26 (Campbell Lane); and altering the hours of applicable parking restrictions to be consistent with a prior Parking Authority of Baltimore City administrative order.

In Service,

Brandon M. Scott  
Mayor

December 7, 2021

The Honorable Nick J. Mosby, Council President  
And Members of the City Council  
Baltimore City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

Dear Honorable President Mosby and Members of the City Council:

I am pleased to inform your Honorable Body that I have signed into law this day the following bills:

**Bill 21-0071** – Street Encroachment – 1707 Eastern Avenue – For the purpose of permitting, subject to certain conditions, the construction and maintenance of a portion of a building projecting into the public right-of-way on the south side of Eastern Avenue, on the property known as 1707 Eastern Avenue.

**Bill 21-0090** – City Streets – Closing – Etting Street and four 10 Foot Alleys bounded by Druid Hill Avenue, Gold Street, Division Street and Baker Street – For the purpose of condemning and closing of Etting Street and four ten-foot alleys bounded by Druid Hill Avenue, Gold Street, Division Street and Baker Street as shown on a plat numbered 337-A-28A and filed in the Office of the Department of Transportation; and providing for a special effective date.

**Bill 21-0100** – City Property – Grant of Easements – For the purpose of authorizing the Mayor and City Council of Baltimore to grant 2 Perpetual Easements to the Maryland State Highway Administration for the maintenance of 2 storm water drainage inlets along Dulaney Valley Road, through the property of the Loch Raven Reservoir, in Baltimore County, Maryland, as shown on Plat 61536 filed in the State Highway Administration State Roads Commission; and providing for a special effective date.

**Bill 21-0126** – Supplementary General Fund Operating Appropriation – Board of Elections – \$600,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$600,000 to the Board of Elections - Service 899 (Fair Conduct of Elections), to provide funding for additional printing and security expenditures resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0127** – Supplementary General Fund Operating Appropriation – Department of General Services – \$600,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$600,000 to the Department of General Services - Service 731 (Facilities Management), to provide funding for additional City building security costs resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0128** – Supplementary General Fund Operating Appropriation – Department of General Services – \$12,383.02 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$12,383.02 to the Department of General Services - Service 731 (Facilities Management), to provide funding for Community Action Program building improvement expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0129** – Supplementary General Fund Operating Appropriation – Department of General Services – \$3,100,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$3,100,000 to the Department of General Services - Service 731 (Facilities Management), to provide funding for food security program expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0130** – Supplementary General Fund Operating Appropriation – Health Department – \$8,933,951.06 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$8,933,951.06 to the Health Department - Service 315 (Emergency Services - Health), to provide funding for pandemic response personnel, contact tracing, and testing expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0131** – Supplementary General Fund Operating Appropriation – Health Department – \$22,620,168 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$22,620,168 to the Health Department - Service 315 (Emergency Services - Health), to provide funding for older adult food insecurity programs, vaccine administration and personnel, and sheltering and quarantine expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0132** – Supplementary General Fund Operating Appropriation – Health Department – \$15,200,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$15,200,000 to the Health Department - Service 315 (Emergency Services - Health), to provide funding for hotel sheltering expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0133** – Supplementary General Fund Operating Appropriation – Department of Housing and Community Development – \$4,300,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$4,300,000 to the Department of Housing and Community Development - Service 809 (Retention, Expansion, and Attraction of Businesses), to provide funding for direct business assistance, personal protective equipment grants, and design work expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0134** – Supplementary General Fund Operating Appropriation – Department of Planning – \$7,100,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$7,100,000 to the Department of Planning - Service 765 (Planning for a Sustainable Baltimore), to provide funding for food security expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0135** – Supplementary General Fund Operating Appropriation – Department of Planning – \$5,107,420 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$5,107,420 to the Department of Planning - Service 765 (Planning for a Sustainable Baltimore), to provide funding for food security program expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0143** – Supplementary General Fund Operating Appropriation – Mayoralty Related – Civic Promotion – \$5,000,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$5,000,000 to the M-R: Civic Promotion - Service 820 (Convention Sales and Tourism Marketing), to provide funding for tourism support and messaging expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0144** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Convention Center Hotel – \$2,500,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$2,500,000 to the M-R: Convention Center Hotel - Service 535 (Convention Center Hotel), to provide funding for debt service expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0145** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Convention Complex – \$1,499,509.74 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$1,499,509.74 to the M-R: Convention Complex - Service 855 (Convention Center), to provide funding for building safety and technology improvement expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0146** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Educational Grants – \$4,000,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$4,000,000 to M-R: Educational Grants Program - Service 446 (Educational Grants), to provide funding for childcare provider support resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0147** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Miscellaneous General Expenses – \$7,002,637.06 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$7,002,637.06, to the M-R: Miscellaneous General Expenses - Service 122 (Miscellaneous General Expenses), to provide funding for technology upgrades, cost tracking and compliance costs, and grants for nonprofit organizations resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0148** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Office of Children and Family Success – \$7,383,249 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$7,383,249 to the M-R: Office of Children and Family Success - Service 109 (Administration - Children and Family Success), to provide funding for the Eviction Prevention Program to pay landlords for delinquent accounts and avoid tenant evictions resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0149** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Office of Information and Technology – \$857,509.37 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$857,509.37 to the M-R: Office of Information and Technology - Service 805 (Enterprise IT Delivery Services), to provide funding for telework technology and temperature screening software expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0150** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Office of the Inspector General – \$400,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$400,000 to M-R: Office of the Inspector General - Service 836 (Inspector General), to provide funding for unbudgeted positions; and providing for a special effective date.

**Bill 21-0151** – Supplementary General Fund Operating Appropriation – Police Department – \$6,500,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$6,500,000 to the Police Department - Service 622 (Police Patrol), to provide funding for premium pay expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0152** – Supplementary General Fund Operating Appropriation – State's Attorney Office – \$638,963.67 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$638,963.67 to the State's Attorney Office - Service 781 (State's Attorney), to provide funding for telework technology and virtual courtroom software expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0153** – Supplementary General Fund Operating Appropriation – Mayoralty-Related: Employees' Retirement Contribution – \$35,500,000 – For the purpose of providing a

Supplementary General Fund Operating Appropriation in the amount of \$35,500,000 to the M-R: Employees' Retirement Contribution - Service 355 (Employees' Retirement Contribution), to provide funding for final costs related to the Fire and Police pension litigation; and providing for a special effective date.

In Service,

Brandon M. Scott  
Mayor

December 9, 2021

The Honorable Nick J. Mosby, Council President  
And Members of the City Council  
Baltimore City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

Dear Honorable President Mosby and Members of the City Council:

I am pleased to inform your Honorable Body that I have signed into law this day the following bills:

**Bill 21-0136** – Supplementary General Fund Operating Appropriation – Department of Public Works – \$600,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$600,000 to the Department of Public Works – Service 663 (Waste Removal and Recycling), to provide funding for overtime expenses resulting from the COVID-19 pandemic; and providing for a special effective date

**Bill 21-0137** – Supplementary General Fund Operating Appropriation – Department of Public Works – \$1,630,015.63 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$1,630,015.63 to the Department of Public Works – Service 663 (Waste Removal and Recycling), to provide funding for solid waste contractor and collection routing software expenses resulting from the COVID-19 pandemic; and providing for a special effective date.



**Bill 21-0138** – Supplementary General Fund Operating Appropriation – Fire Department – \$2,350,000 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$2,350,000 to the Fire Department – Service 602 (Fire Suppression and Emergency Rescue), to provide funding for the cost of operating 2 fire suppression companies; and providing for a special effective date.

**Bill 21-0139** – Supplementary General Fund Operating Appropriation – Fire Department – \$114,009 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$114,009 to the Fire Department – Service 608 (Emergency Management), to provide funding for first responder quarantine costs resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0140** – Supplementary General Fund Operating Appropriation – Fire Department – \$12,684,471.33 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$12,684,471.33 to the Fire Department – Service 609 (Emergency Medical Services), to provide funding for emergency medical services, personal protective equipment, and building improvement expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0141** – Supplementary General Fund Operating Appropriation – Liquor License Board – \$104,264.17 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$104,264.17 to the Liquor License Board – Service 850 (Liquor Licensing), to provide funding for telework technology expenses resulting from the COVID-19 pandemic; and providing for a special effective date.

**Bill 21-0142** - Supplementary General Fund Operating Appropriation – Mayoralty – \$50,304.90 – For the purpose of providing a Supplementary General Fund Operating Appropriation in the amount of \$50,304.90 to the Mayoralty – Service 125 (Executive Direction and Control - Mayoralty), to provide funding for community outreach by the Mayor’s Office of Immigrant Affairs (“MIMA”) resulting from the COVID-19 pandemic; and providing for a special effective date.

In Service,

Brandon M. Scott  
Mayor

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**APPOINTMENTS BY THE MAYOR**

DANIEL M. BILLIG as a member of the Auctioneer Advisory Board, for a term expiring December 3, 2024.

JAMAR BROWN as a member of the Retirement Savings Plan Board of Trustees, for a term expiring December 3, 2024.

PAUL R. COOPER as a member of the Auctioneer Advisory Board, for a term expiring December 3, 2024.

KEVIN DANIELS, PHD, as a member of the Affordable Housing Trust Fund Commission, for a term expiring December 3, 2024, as an individual who is a social service provider.

VERNADINE KIMBALL, as a member of the Affordable Housing Trust Fund Commission, for a term expiring December 3, 2024, as a resident homeowner at 50% or less of Area Median Income.

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**INTRODUCTION AND READ FIRST TIME**

The President laid before the City Council the following Council Resolutions for first reading:

**Bill No. 21-0085R** - By City Council President (Administration)

Introduced  
(Read and adopted)

A COUNCIL RESOLUTION concerning

**Charter Review Commission – Establishing Resolution**

FOR the purpose of establishing the inaugural Charter Review Commission; appointing certain members of the Commission; providing for a certain date to commence the duties and work of the Charter Review Commission; providing for a certain completion date; and providing for a special effective date.

**Recitals**

On November 3, 2020, the voters of Baltimore City adopted Resolution 20-18, which amended the Baltimore City Charter to require a decennial Charter Review Commission.

Specifically, according to the City Charter, during the first odd-numbered year of each decade, the Mayor and City Council, by resolution, shall establish a Charter Review Commission to “review the Charter, undertake a comprehensive study of its contents, and make findings and recommendations as to the necessity for deleting, adding, or amending its provisions in order to improve the efficiency and operations of City government.”

Further, the Charter requires that the “Mayor, the President of the City Council, and the Comptroller shall each appoint 3 members to the Commission. Each member of the City Council shall appoint 1 member to the Commission.”

Accordingly, by this Resolution, the Mayor and City Council of Baltimore City establish the inaugural Charter Review Commission.

**SECTION 1. BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the membership of the Charter Review Commission be appointed pursuant to the provision of Article XI of the City Charter no later than December 21, 2021.

**SECTION 2. AND BE IT FURTHER RESOLVED,** That the Charter Review Commission shall commence the duties and work of the Commission no later than the first week of January, 2022.

**SECTION 3. AND BE IT FURTHER RESOLVED,** That the Charter Review Commission hereby established shall complete its duties and submit its work to the Mayor and City Council no later than May 31, 2022.

**SECTION 4. AND BE IT FURTHER RESOLVED,** That this Resolution takes effect on the date it is enacted.

Councilmember Dorsey made a motion, which was duly seconded, that the Rules be suspended.

There being no objection, the President declared that the Rules were suspended.

Then Councilmember Dorsey made a motion, which was duly seconded, that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the Resolution "Adopted".

#### **CONSENT CALENDAR**

CEREMONIAL RESOLUTIONS NO. 565, 567, 568, 569, 570, 571, AND 572 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the resolutions adopted under Rule 3-9.

**Ceremonial Resolutions will be found at the end of the Journal.**

#### **COMMITTEE REPORTS**

##### **BILL NO. 21-0087 REPORTED FAVORABLY, WITH AMENDMENTS, AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0087 favorably, with amendments.

An Ordinance changing the zoning for the properties known as 100 East 23<sup>rd</sup> Street, 2300 Saint Paul Street, 2305 Saint Paul Street, 2313 Saint Paul Street, and 2317 Saint Paul Street, as outlined in red on the accompanying plat, from the OR-2 Zoning District to the C-1 Zoning District.

**Findings of Fact**

**City Council Bill No: 21-0087**

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 the rezoning of:

**Rezoning - 100 East 23rd Street, 2300 Saint Paul Street, 2305 Saint Paul Street, 2313 Saint Paul Street, and 2317 Saint Paul Street**

Upon finding as follows with regard to:

(1) Population changes;

The most recent Census data shows a decline of 35% since the 2010 census count. The applicant has provided a document detailing population changes (Old Goucher – Population Change Source: American Community Survey - 5 Year Estimates) submitted by applicant.

(2) The availability of public facilities;

This site is well-served by public services and utilities and will continue to be so for the foreseeable future.

(3) Present and future transportation patterns;

The area of rezoning is well served by multiple modes of public mass transit including multiple stops for several different MTA bus lines and the Charm City Circulator Purple Route and is less than one half mile from the Penn Station, Marc and Amtrak lines. In addition, the central location and proximity to multiple modes of public transportation make it a prime area for both residential and commercial density which is the goal of the rezoning and reflective of the Old Goucher Vision plan. Finally, the imminent \$90 million Penn Station re-development will only further support the goals of the rezoning. The lack of parking requirements in C-1 match the current and future transportation patterns of the neighborhood.

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

The proposed rezoning supports the goals of the vision plan and the goals of the neighborhood to be realized. A great example of this is the beer garden Dutch Courage which is across the street from 100 E. 23rd the SOCLE collective at Charles and 23rd Street and finally the significant interest in restaurant and commercial uses

for the 2300 and 2400 blocks of Saint Paul.

(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, nine being present, nine in favor to recommend passage of the bill. The Board of Municipal Zoning Appeals defers to the Planning Commission. The City agencies to which the bill was referred made the following recommendations:

|  |                         |
|--|-------------------------|
| Planning Commission                                | Favorable               |
| Board of Municipal and Zoning Appeals<br>(BMZA)    | Defers to Planning      |
| Department of Transportation                       | No Objection            |
| City Solicitor                                     | Favorable with Comments |
| Department of Housing and Community<br>Development | No Objection            |
| Baltimore Development Corporation                  | Favorable               |
| Parking Authority for Baltimore City               | Not Opposed             |

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

The proposed rezoning would support goals contained within the Comprehensive Master plan for Baltimore City. Specifically, LIVE goal 1) Build Social and Human Capital by building neighborhoods, Objective 2) Strategically re-develop vacant properties across the city. The subject rezoning area contains multiple properties that are currently vacant or underutilized. The proposed C-1 zoning will encourage investment and mixed use development of these sites per the neighborhood's goals.

Also, specifically PLAY goals 1, Enhance Appreciation and Enjoyment of Baltimore's historic and cultural resources and Goal 2, Improve Nightlife and Entertainment Experiences for Residents and Visitors. As related to Goal 2 Objectives 1,2 and 3 there are multiple entrepreneurs who have sought out this specific area for investment in commercial and nightlife activities that would be allowable under C-1.

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

Existing uses within the general area of the properties is a mix between low-intensity

commercial and high-density residential.

The land uses in the subject area consist primarily of light commercial with some multifamily. The existing zoning has severely limited the ability of the subject properties to achieve the highest and best use based on the neighborhood vision plan and demonstrated through the individual prospective tenants and users who have sought out these sites for investment in the neighborhood.

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

The properties to the north of this block are C-1 and to the south are R-8.

The general area includes C-1, C-2, C-3 and R-8 zoning designations. The subject area is abutted directly to the west, north and southwest by C-1.

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

As stated in Item 7 above, the existing zoning has severely limited the ability of subject properties to achieve their highest and best 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;

Since passage of Transform Baltimore, there have been several new commercial users in the neighborhood including Sophomore Coffee, Larder, Fadesonnen beer garden and Dutch Courage, to name a few. Additional density has also been achieved by adding units to existing housing stock.

(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:

The General Assembly created a new Old Goucher Revitalization District that included the creation of several new BD-7 tavern licenses. This District was created in 2017. In 2018 this District was expanded to include the east side of St. Paul with the specific intention to expand the Old Goucher revitalization district to the properties this rezoning will address. In addition to the new commercial uses summarized in Item 10 above, there has also been a separate large-scale rezoning of several blocks on Maryland Avenue, which as in this request, was done based on the communality's desire and vision plan. Finally, the population changes detailed in the addendum as part of

number Item 1 above further support the rezoning based on a substantial change in the character of the neighborhood.

The Planning Commission recognizes that there are certain changes that have occurred in this community. Including new BD-7 liquor licenses for some properties, along with some \$90 Million worth of investment in Penn Station. When the Comprehensive rezoning of the City occurred in 2017, we looked at historic uses of property, what the buildings looked like, and when we made decisions about historic zoning, had to determine whether these types of the buildings are conducive to a present owner. By adhering to long-time zoning patterns, and looking at the current buildings, there are times where some fall through the gaps as changes develop. Neighborhoods like Old Goucher may fall into that gap in the sense that it has older buildings, that it was very well off at one time in having institutions and so on in it. But now, there's a lot of churches and other buildings that need innovation. Having read the community's plan, and knowing the work that they've done to try to bring that innovation and adaptive reuse to the neighborhood in a smart way and in a comprehensive way, it could fit either a mistake or a change in the character of the neighborhood. Here, the proposed rezoning is consistent with their community plan.

(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:

SOURCE OF FINDINGS (Check all that apply):

Planning Report – Planning Commission, Agency Report, Dated October 8, 2021 which includes the Planning Department, Staff Report, Dated October 7, 2021

Testimony presented at the Committee hearing

Oral – Witness:

- Remi Lawal, Planning Department
- Hilary Ruley, Law Department
- Nina Themelis, Office of the Mayor
- Stephanie Murdock, Department of Housing and Community Development
- Liam Davis, Department of Transportation
- Christina Moore, Baltimore Development Corporation
- Arco Sen, Parking Authority of Baltimore City
- Nate Pretl, representative for the applicant

Written:

- Planning Commission, Agency Report, Dated October 8, 2021 which includes the



- Department of Planning, Staff Report – Dated October 7, 2021
- Department of Transportation, Agency Report – Dated September 20, 2021
  - Board of Municipal and Zoning Appeals, Agency Report – Dated June 24, 2021
  - Law Department, Agency Report – Dated October 12, 2021
  - Department of Housing and Community Development, Agency Report – Dated November 23, 2021
  - Baltimore Development Corporation, Agency Report – Dated October 15, 2021
  - Parking Authority of Baltimore City, Agency Report – Dated June 18, 2021
  - Nate Pretl, Applicant/s Representative, Findings Fact and Addendum: Old Goucher - Population Changes Sheet; Source American Community Survey – 5 Year Estimates, Dated 11/1/21

COMMITTEE MEMBERS VOTING IN FAVOR

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

Finding of Facts adopted.

Committee Amendments to City Council Bill No. 21-0087

**Amendment No. 1**

On page 1, in line 2, after the last comma insert “**and**”; and, on that same page, in line 3, strike “, **and 2317 Saint Paul Street**”; and, on that same page, in line 5, after the second comma insert “**and**”; and, on that same page, in that same line, strike “and 2317 Saint Paul Street,”; and, on that same page, in line 17, after the second comma insert “**AND**”; and, on that same page, in that same line, strike “and 2317 Saint Paul Street,”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 21-0119 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0119 favorably, with amendments.

An Ordinance changing the zoning for the property known as 1201 S. Haven Street and a portion of Boston Street, as outlined in red on the accompanying plat, from the I-2 Zoning District to the C-3 Zoning District; and providing for a special effective date.

### **Findings of Fact**

#### **City Council Bill No: 21-0119**

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 the rezoning of:

#### **Rezoning - 1201 South Haven Street and a Portion of Boston Street**

Upon finding as follows with regard to:

(1) Population changes;

Preliminary Census 2020 data shows a 1,260% increase in population in the Canton Industrial Area neighborhood statistical area. This increase is so massive due to the fact that the 2010 Census recorded a residential population of only 68 (which now is 925). The Canton Industrial Area NSA includes the southern portion of the Brewer's Hill neighborhood, where substantial residential redevelopment has occurred over the past 10 years.

(2) The availability of public facilities;

Adequate public facilities exist at the site and should continue to exist into the future.

(3) Present and future transportation patterns;

The site is along South Haven Street, a vital trucking corridor, at the intersection of Boston Street. Any proposed redevelopment should both consider the substantial trucking traffic as well as the need to safely and comfortably accommodate pedestrians in accordance with the City's Complete Streets Manual.

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

The C-3 zoning district would be compatible with existing and proposed development for the area as it would accommodate additional retail and commercial development. It

is unfortunate, however, that much of the recent development in the immediate area has been so auto-oriented, as this does not align with urban design principals nor with the City’s sustainability goals as they relate to climate change.

(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, nine members being present, seven in favor with two abstentions. The Board of Municipal Zoning Appeals defers to the Planning Commission. The City agencies to which the bill was referred made the following recommendations:

|   |                         |
|---|-------------------------|
| Planning Commission                             | Favorable               |
| Board of Municipal and Zoning Appeals (BMZA)    | Defers to Planning      |
| Department of Transportation                    | No Position             |
| City Solicitor                                  | Favorable with Comments |
| Department of Housing and Community Development | Favorable               |
| Baltimore Development Corporation               | Favorable               |
| Parking Authority for Baltimore City            | Not Opposed             |

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

The proposed rezoning would support the following aspect of the Comprehensive Plan: LIVE Goal 1: Build Human and Social Capital by Strengthening Neighborhoods; Objective 2: Strategically Redevelop Vacant Properties Throughout the City. While it is not consistent with the Canton Industrial URP, it is for that reason the URP amendment is also proposed.

As described above, the proposed rezoning is would be consistent with the City’s Comprehensive Plan.

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

The surrounding properties are used as such: to the north is heavy industrial; the west is mixed-use commercial and residential; the southwest is commercial; the south is industrial; the east is freight rail lines.

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

The properties to the southwest (District at Canton Crossing) are C-3; to the east (Collective at Canton) are C-2; to the north, east, and south are I-2.

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

The site is located on the South Haven Street corridor at the intersection of Boston Street. The substantial amount of recent commercial and residential redevelopment in this area make the re-use of this particular site for I-2 heavy commercial uses very unlikely.

(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;

The Collective at Canton mixed-use development has begun construction in this timeframe, representing a significant change in neighborhood character.

(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:

This area has seen a substantial amount of commercial redevelopment over the past decade, much of it directly serving the increasing population in Southeast Baltimore. This rezoning would enable additional commercial uses that would continue to serve this area of the City.

The companion URP amendment bill to the rezoning bill seeks to remove this property from the Canton Industrial Area Urban Renewal Plan. The property is currently designated as "Heavy Industrial" by the URP, which requires that uses be limited to heavy industrial and that certain uses, including restaurants, are explicitly prohibited. In general, staff does not feel that the Canton Industrial URP, first established in 1990, is strictly necessary any longer due to the creation of the MI (Maritime Industrial) zoning district as a part of the Transform Baltimore comprehensive rezoning process. At the same time, it's reasonable to question the overall utility and integrity of the URP if redevelopment proposals that are not permitted by the ordinance simply seek to continually amend the URP to remove themselves from it has passed through City Council and proposes the removal of 4900 Boston Street to facilitate a drive-through fast food restaurant. Additionally, in 2019, 1200 South Haven Street was removed from the URP in order to facilitate the Collective at Canton redevelopment that is

currently underway. The removal of this property from the Canton Industrial URP and its ongoing redevelopment as a mixed-use project containing grocery retail, commercial uses, and a 500-unit apartment building clearly demonstrate the rapidly changing character of the neighborhood. The committee finds that this change is in the public's interest and a substantial change in the neighborhood has occurred that would support this site-specific 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:

SOURCE OF FINDINGS (Check all that apply):

Planning Report – Planning Commission, Agency Report, Dated October 8, 2021 which includes the Planning Department, Staff Report, Dated October 7, 2021

Testimony presented at the Committee hearing

Oral – Witness:

- Matthew DeSantis, Planning Department
- Victor Tervalá, Law Department
- Nina Themelis, Office of the Mayor
- Stephanie Murdock, Department of Housing and Community Development
- Liam Davis, Department of Transportation
- Luis Cardona, Baltimore Development Corporation
- Arco Sen, Parking Authority of Baltimore City

Written:

- Planning Commission, Agency Report, Dated October 8, 2021 which includes the Department of Planning, Staff Report – Dated October 7, 2021
- Department of Transportation, Agency Report – Dated December 6, 2021
- Board of Municipal and Zoning Appeals, Agency Report – Dated August 24, 2021
- Law Department, Agency Report – Dated October 18, 2021
- Department of Housing and Community Development, Agency Report – Dated November 23, 2021
- Baltimore Development Corporation, Agency Report – Dated December 3, 2021
- Parking Authority of Baltimore City, Agency Report – Dated September 8, 2021  
Economic and Community Development Committee

## COMMITTEE MEMBERS VOTING IN FAVOR

Sharon Green Middleton, Chair

John Bullock

Mark Conway

Antonio Glover

Odette Ramos

Robert Stokes

Finding of Facts adopted.

Committee Amendments to City Council Bill No. 21-0119

**Amendment No. 1**

On page 1, in line 14, after “Haven”, and, on that same page, in that same line, after “Boston”, respectively, strike “St.” and substitute “Street”, respectively.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 21-0120 REPORTED FAVORABLY, WITH AMENDMENTS,  
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0120 favorably, with amendments.

An Ordinance amending the Urban Renewal Plan to revise the boundary of the Plan to remove a certain property; replacing certain exhibits to reflect the change; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

Committee Amendments to City Council Bill No. 21-0120

**Amendment No. 1**

On page 1, in line 3, strike “ \_\_\_ ” and substitute “7”; and, on page 2, in line 16, before the second comma, strike “ \_\_\_ ” and substitute “7”.

**Amendment No. 2**

On page 1, in line 17, strike “ \_\_\_ ” and substitute “21-060”.

**Amendment No. 3**

On page 2, in line 16, after “dated”, strike “ \_\_\_\_\_ ” and substitute “August 16, 2021”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**MOTION TO INVOKE COUNCIL RULE 10-11(B)(2) IN ORDER TO  
INTRODUCE A LATE COMMITTEE REPORT**

Councilmember Schleifer made a motion, which was seconded, to introduce before the Council this evening a Committee Report that was not listed on tonight’s printed Agenda. The motion was approved, and the President declared that the report be introduced.

Councilmember Schleifer, for the Rules and Legislative Oversight Committee, made a motion, which was duly seconded, that the favorable report of the Rules and Legislative Oversight Committee be adopted.

The Appointment of

HARRY MAYO

Member

BOARD:

Licensing for Towing Services Board

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

**THIRD READING**

The President laid before the City Council:

**BILL NO. 21-0083** - An Ordinance granting a franchise to Baltimore Gas and Electric Company to construct, use, and maintain a gas regulator station utility, subject to certain terms, conditions, and reservations; and providing for a special effective date.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

**BILL NO. 21-0122** - An Ordinance granting a franchise to The Johns Hopkins University (Developer's Agreement #1710) to construct, use, and maintain 5 utilities/ductbanks, subject to certain terms, conditions, and reservations; and providing for a special effective date.

Then Councilmember Middleton made a motion, which was seconded, to offer the following amendment to the bill:

Amendment to Council Bill 21-0122

**Amendment No. 1**

On page 2, in line 24, strike the blank and substitute "910.00".

The roll was called on the adoption of the amendment, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

President Mosby declared the amendment adopted and ordered the bill held over until the next meeting pursuant to City Council Rule 12-3.



**BILL NO. 21-0123** - An Ordinance granting a franchise to the State of Maryland (Maryland Transit Administration) to construct, use, and maintain an underground conduit and fiber optic cable, subject to certain terms, conditions, and reservations; and providing for a special effective date.

Then Councilmember Middleton made a motion, which was seconded, to offer the following amendment to the bill:

Amendment to Council Bill 21-0123

**Amendment No. 1**

On page 2, in line 32, strike the blank and substitute “0.00”.

The roll was called on the adoption of the amendment, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

President Mosby declared the amendment adopted and ordered the bill held over until the next meeting pursuant to City Council Rule 12-3.

**CLEARING OF THE BILL STATUS REPORT - CITY COUNCIL RULE 10-12**

Under City Council Rule 10-12, President Mosby announced that the following bills will be removed from consideration before the Council, unless the sponsor notifies the Council’s Executive Secretary.

***City Council Bills No. 21-0029, 21-0037, 21-0046,  
21-0061, 21-0073, 21-0115, 21-0181***

***Resolutions: 21-0034R, 21-0047R***

**ADJOURNMENT**

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, January 10, 2022, at 5:00 p.m.

Consent Calendar**CR 565          President Mosby, All Members**

**A Baltimore City Resolution on the death of Ms. Virginia Iona Rollins, February 24, 1943 - December 1, 2021.**

**CR 566          Burnett**

**A Baltimore City Resolution congratulating Officer Roderick Davis on your courage, honor and sacrifice, thank you for your dedication to the Southwestern District.**

**CR 567          President Mosby, All Members**

**A Baltimore City Resolution on the death of George Ray Jr., May 15, 1941 - December 1, 2021.**

**CR 568          President Mosby, All Members**

**A Baltimore City Resolution on the death of Daryl Thomas Alexander, November 15, 1960 - November 16, 2021.**

**CR 569          Porter**

**A Baltimore City Resolution congratulating Dr. Tiffany Parkman on your four years of service as PSI PHI OMEGA Chapter President of Alpha Kappa Alpha Sorority, Incorporated.**

**CR 570          President Mosby, All Members**

**A Baltimore City Resolution congratulating The Movement Team, Inc. on your dedication to service the community and your partnership with the Council President's Inaugural Toy Drive and Holiday Celebration.**

**CR 571          President Mosby, All Members**

**A Baltimore City Resolution congratulating the volunteers for the 2021 Inaugural Toy Drive (Walk by Faith Ministries, Starbucks, Media Minds, Blondie's Donuts, Downtown Partnership of Baltimore, UMES Baltimore Alumni Association, PCs for People Comcast, Baltimore School for the Arts) on your support with the Council President's Inaugural Toy Drive and Holiday Celebration.**

**CR 572          President Mosby, All Members**

**A Baltimore City Resolution congratulating Mayor Bernard C. "Jack" Young on your love and dedication to Baltimore's children with your annual Toys for Tots Holiday Reception.**