

EIGHTH DAY

FOURTH COUNCILMANIC YEAR - SESSION OF 2020-2024

JOURNAL
CITY COUNCIL OF BALTIMORE

April 8, 2024

Bishop Damian A. Hinton, Sr., Pastor of Life Changing Ministries led the Council in Prayer.

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

SHOWCASE BALTIMORE

Home Depot, the Edmondson-Westside Men's Basketball Team, MPSSAA 1A State Champions, and the Baltimore Polytechnic Women's Basketball Team, MPSSAA 3A State Champions were honored.

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

JOURNAL APPROVED

The Journal of March 18, 2024 was read and approved.

OFFICE OF THE MAYOR

EXECUTIVE NOMINATIONS

MELISSA DEVERAUX, as a member of the Baltimore City LGBTQ Commission from District 7.

INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

Bill No. 24-0503 - By City Council President (Administration – Office of the Comptroller) and Councilmember Cohen

An Ordinance transferring the Department of Finance from Mayoral oversight to the Office of the Comptroller; and submitting this amendment to the qualified voters of the City for adoption or rejection.

The bill was read the first time and referred to the Rules and Legislative Oversight Committee.

Bill No. 24-0504 - By Councilmember Middleton

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a cultural facility and an open off-street parking area on the property known as C.C. Jackson Park and Library, 4910 Park Heights Avenue (Block 4605, Lots 001-018, 021, 055-065) as outlined in red on the accompanying plats; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0505 - By Councilmembers Burnett, Torrence, Cohen, Ramos, Porter, Dorsey, Bullock, Conway, and Middleton

An Ordinance requiring a rental dwelling to be inspected for mold prior to the issuance or renewal of a certain license; defining certain terms; providing for a special effective date; establishing certain penalties; and generally relating to rental dwellings and mold inspection and remediation.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0506 - By Councilmembers Conway, Burnett, Middleton, Dorsey, and Torrence

An Ordinance permitting certain plants and grasses to exceed 8 inches in height under certain circumstances; requiring the promulgation of certain regulations; defining certain terms; and generally relating to managed natural landscapes.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0507 - By Councilmember Conway

An Ordinance requiring the Baltimore City Administrator, the Baltimore Office of Sustainability, and the Baltimore Commission on Sustainability to submit a report to the Mayor and City Council assessing the costs and benefits of installing and maintaining 100 acres of low-maintenance and self-sustaining native plant communities (otherwise known as “urban meadows”) and mapping vacant lots and existing areas with packed dirt that could be transformed into urban meadows; and providing for a special effective date.

The bill was read the first time and referred to the Public Safety and Government Operations Committee.

Bill No. 24-0508 – By Councilmember Torrence and President Mosby

An Ordinance condemning and opening certain streets and alleys bounded by North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey Street and a portion of North Stockton Street as shown on the accompanying plat, on file with the Department of Transportation; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0509 – By Councilmember Torrence and President Mosby

An Ordinance condemning and closing certain streets and alleys bounded by North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey Street and a portion of North Stockton Street as shown on the accompanying plat, on file with the Department of Transportation; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0510 – By Councilmember Torrence and President Mosby

An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain streets and alleys bounded by North Avenue, Pennsylvania Avenue, Cumberland Street, and North Carey Street and a portion of North Stockton Street, as marked on the accompanying plat, and is no longer needed for public use; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 24-0511 – By Councilmember Schleifer

An Ordinance repealing Ordinance 01-284, which designated certain properties a Business Planned Unit Development known as Home Depot at Reisterstown Plaza; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 24-0512 – By Councilmember Schleifer

An Ordinance repealing Ordinance 01-257, as amended by Ordinance 02-447, which designated certain properties a Business Planned Unit Development known as Reisterstown Road Plaza Shopping Center; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 24-0513 – By Councilmember Torrence

An Ordinance repealing Ordinance 99-533, as amended by Ordinance 16-569, which designated certain properties a Business Planned Unit Development known as New Shiloh Baptist Church; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 24-0514 – By Councilmember Ramos

An Ordinance permitting, subject to certain conditions, the conversion of certain single-family dwelling units to 2 dwelling units in the R-7 Zoning District on the property known as 3040 Barclay Street (Block 357A8, Lot 033), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0515 – By Councilmember Bullock

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-8 Zoning District on the property know as 223 South Stricker Street (Block 264, Lot 19) as outlined in red on the accompanying plat; granting variances to certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0516 – By Councilmember Stokes

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a principal use parking lot on the property known as 1211 Jefferson Street (Block 1295, Lot, 001G), as outlined in red on the accompanying plat; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0512 – By Councilmember Porter

An Ordinance changing the zoning for the properties known as 1500, 1502, and 1508 Desoto Road (Block 7765; Lots 7, 14, and 15), as outlined in red on the accompanying plat, from the R-6 Zoning District to the C-2 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 24-0515R – By Councilmembers Costello and McCray

A Resolution inviting representatives from the Baltimore Police Department, the Board of Liquor License Commissioners for Baltimore City, and the Department of Finance to review the current licensing requirements for clarity, completeness, and intent.

The bill was read the first time and referred to the Public Safety and Government Operations Committee.

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

Bill No. 24-0216R – By Councilmembers Porter and Cohen, President Mosby, Councilmembers McCray, Torrence, Bullock, Conway, Dorsey, Burnett, Middleton, Ramos, and Costello

Introduced
(Read and adopted)

Honoring the Efforts of First Responders in Southeast Baltimore and Remembering the Victims of the Francis Scott Key Bridge Collapse

FOR the purpose of honoring the efforts of first responders to the Francis Scott Key Bridge Collapse and remembering the victims of the emergency.

Recitals

WHEREAS, on Wednesday, March 27th, 2024, the Baltimore City Fire Department was the first on the scene to what was not only a City, but also a State and federal emergency, at the Francis Scott Key Bridge collapse, arriving in less than 10 minutes to begin active triage and rescue efforts.

WHEREAS, the following individuals served as Fire Dispatch staff: Fire Dispatch Administrators Sherry Wagner and Paul Demme, Dispatchers Amelia Hemsley, Shawnetta Moore, Phillip Surdel, Michele Dunphy, Shamonique Davis, Raymond Smith, Cherry Bradley, Queen Levere, Nicole Green, Tyeshia Wilson, and Fire Dispatch Supervisor Sterling Bailey

WHEREAS, the following individuals served as Swiftwater Rescue Technicians: emergency vehicle drivers Kevin Larkins and Greg Nelson, Lieutenant James Lankford, firefighters Andrew Vernon, Evan Magee, and Douglas Thomas, Captain Brian Spina, and Officer Andrew Pallante.

WHEREAS, Captain David O'Malley, Lieutenant Joshua Shaffer, Deputy Chief Carl Knight, Lieutenant Clark Cathey, Paramedic Christopher Coleman, Lieutenant Kristopher Gaasch, emergency vehicle drivers Richard Haines and Gregory Nelson, Captain Patrick Hurley, Paramedic Eric Johnson, Captain James Oliver, Battalion Chief Richard Parker, III, Captain Scott Parrott, and firefighters Jerry Smith and Marc Taylor served as the Dive Rescue Team, which worked to rescue and recover the victims of the bridge collapse.

WHEREAS, Paramedics Antonio Wallace and Carlos Rodriguez provided emergency medical support at the site.

WHEREAS, the Baltimore City Fire Department's leaders, including Chief James Wallace, Initial Incident Commander Battalion Chief Dean Denning, and Battallion Technician Lt. Roger Steger, provided around-the-clock oversight, guidance, and steady calm in the face of a dynamic rescue effort.

WHEREAS, the entire City of Baltimore mourns the loss of Miguel Luna, Alejandro Hernandez Fuentes, Maynor Yassir Suazo Sandoval, Dorlian Ronial Castillo Cabrera, Jose Mynor Lopez, and Carlos Hernandez and the City Council expresses its deepest condolences to their families and loved ones during this difficult time.

WHEREAS, Baltimore and the City Council will continue to hold these victims and their families close as they heal and recover from the tragedy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, that the City Council honors our first responders for their work at the Francis Scott Key Bridge Collapse and their daily efforts to protect the citizens of Baltimore. The City Council is committed to lifting up the fearless work of these public servants, supporting them in their exposure to trauma, and providing the support needed to assist the best fire department in the country.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Chief of the Baltimore City Fire Department, and the Mayor's Legislative Liaison to the City Council.

Councilmember Porter 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 Porter 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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

The President declared the Resolution "Adopted".

Bill No. 24-0217R - By Councilmember Cohen, President Mosby, Councilmembers McCray, Torrence, Burnett, Dorsey, Bullock, Conway, Middleton, Cosstelllo, Ramos, and Porter

Introduced
(Read and adopted)

**Honoring the Efforts of First Responders in Southeast Baltimore and
Remembering the Victims of the Lombard Street Fire**

FOR the purpose of honoring the efforts of the first responders to the recent fire on Lombard Street in Southeast Baltimore and remembering the victims.

Recitals

WHEREAS, an initial emergency call was placed in the early morning hours of Tuesday, February 27th, 2024 reporting a massive fire at 3414 East Lombard Street.

WHEREAS, 911 specialists Anthony Jones and Towanda Osei-Bonsu fielded the emergency calls.

WHEREAS, the Baltimore City Fire Department arrived at the scene within 2 minutes of receiving the initial call, assisted with the removal of victims from the building, and performed CPR until the arrival of the transport unit, which quickly took the victims to the hospital.

WHEREAS, firefighters Mark A. Lopez, Frank A. Snyder, Mark Lemmon, Haseeb Durrani, William Buttner, Justin M. King, Joshua A. Wodka, Joshua J. Drexler, and Michael B. Connelly bravely responded to the scene at 3414 East Lombard Street.

WHEREAS, paramedics Stephen Kehne, Cody Lust, Maria Ashley, Christopher Rondholz, Mark Fritsch Jr., Zephyr Agena, and Chaz Charter aided the transport of victims to the hospital. Maria Perez, a bilingual Baltimore City police officer, served as a bridge between distraught family members and investigators, offering compassion and access to services.

WHEREAS, Baltimore mourns the loss of the victims of the fire and the City Council expresses its deepest condolences to their families and loved ones during this difficult time.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, that the City Council honors the memories of the victims of the fire and expresses its deepest gratitude to our brave first responders for their work in responding to the fire at 3414 East Lombard Street and their daily efforts to protect the citizens of Baltimore. The City Council is committed to lifting up the fearless work of these public servants, supporting them in their exposure to trauma, and providing whatever support is needed to assist the best fire department in the country.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, The Chief of the Baltimore City Fire Department, and the Mayor's Legislative Liaison to the City Council.

Councilmember Cohen 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 Cohen 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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

The President declared the Resolution "Adopted".

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2020, 2021, 2022, 2023, 2024, AND 2125 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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

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. 23-0432 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with §§ 10-304 and 10-305 of the Land Use Article of the Maryland Annotated Code and Article 32 § 5-508 of the Baltimore City Code and recommends the adoption of Bill No. 23-0432 favorably, with amendments.

An Ordinance changing the zoning for the properties known as 3301, 3311, 3313, 3315, 3317, 3319, 3321, 3323, and 3327 Saint Paul Street (Block 3871, Lots 1, 3, 4, 5, 6, 7, 8, 9, and 10), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

Findings of Fact

City Council Bill No. 23-0432

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

Upon finding as follows with regard to:

(1) Population changes;

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;

This site is served by existing utilities and public facilities, which will not be affected by the proposed change in zoning for this property.

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(3) Present and future transportation patterns:

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;

The property is surrounded by commercial uses, hospital uses, and high-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 with amendments
Dept of Housing and 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 with amendments

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

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;

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;

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;

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;

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;

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 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):

Planning Report – Planning Commission's report, dated December 26, 2023

Testimony presented at the Committee hearing

Oral – Witness Name:

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

Written – Submitted by:

- 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

Economic and Community Development Committee:

COMMITTEE MEMBERS VOTING IN FAVOR

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

Findings of Fact adopted.

Committee Amendments to City Council Bill No. 23-0432

Amendment No. 1

On page 1, in line 2, strike, “**3301 Saint Paul Street and**”; and, on that same page, in lines 3 and 15, in each instance, strike “3301,”; and, on that same page, strike beginning with “9,” in line 4 down through and including “10” in line 5 and substitute, “and 9”; and, on that same page, in line 16, strike “9, and 10” and substitute, “and 9”.

Amendment No. 2

Strike the accompanying plat in its entirety and substitute with the attached.

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. 23-0433 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 23-0433 favorably, with amendments.

An Ordinance approving certain amendments to the Development Plan of the North Charles Village Planned Unit Development.

Committee Amendments to City Council Bill No. 23-0433

Amendment No. 1

On page 1, in line 14, strike “sounth” and substitute “south”.

Amendment No. 2

On page 2, in line 11, strike “October 2023” and substitute “December 2023”; and, strike the accompanying “Sheet 3, ‘Illustrative Preliminary Build-Out Plan’ dated October 2023” in its entirety and substitute with the attached “Sheet 3, ‘Illustrative Preliminary Build-Out Plan’ dated December 2023”.

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. 23-0468 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 23-0468 favorably, with amendments.

An Ordinance eliminating off-street parking requirements for a residential project that is subject to inclusionary housing requirements.

Committee Amendments to City Council Bill No. 23-0468

Amendment No. 1

On page 1, in line 2, strike “Affordable” and substitute “Inclusionary”.

Amendment No. 2

On page 1, strike lines 5 through 9 in their entirety and substitute:

“BY renumbering
Article 32 - Zoning
Sections 16-601(g) through (i)
to be
Sections 16-601 (h) through (j)
Baltimore City Code
(Edition 2000)

BY adding
Article 32 - Zoning
Section 16-601(g)
Baltimore City Code
(Edition 2000)”;

and, on page 2, strike lines 2 through 15 in their entirety and substitute:

“(G) RESIDENTIAL PROJECTS SUBJECT TO INCLUSIONARY HOUSING.

OFF-STREET PARKING IS NOT REQUIRED FOR A RESIDENTIAL PROJECT THAT IS SUBJECT TO THE INCLUSIONARY REQUIREMENTS UNDER § 2B-21 {“INCLUSIONARY REQUIREMENTS”} OF ARTICLE 13 OF THIS CODE.

(H) [(g)] Reductions – Affordable housing.

(1) No more than 1 parking space need be provided for every 2 dwelling units in dwellings that are erected or rehabilitated subject to a restriction that the units be leased to residents with incomes at or below 60% of the Area Median Income, with that restriction being for a term of not less than 15 years from the date of the issuance of a use permit and recorded in the Land Records of Baltimore City.

(2) The Housing Commissioner must verify, by letter to the Planning Director and the Zoning Administrator, the recordation, term, and tenor of the restriction.

(I) [(h)] Reductions – Small dwellings.

No more than 0.5 parking spaces need be provided for every dwelling unit that is 500 square feet or smaller.

(J) [(i)] Reductions – Housing for elderly.

For units designed for occupancy by the elderly in a government-assisted private or public housing dwelling, no more than 1 space need be provided for every 4 units.”.

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. 23-0470 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported that the Committee has complied with the Land Use Article of the Maryland Code and recommends the adoption of Bill No. 23-0470 favorably.

An Ordinance permitting, subject to certain conditions, the conversion of a single-family dwelling unit into 4 dwelling units in the R-8 Zoning District on the property known as 704 North Gilmor Street (Block 0098, Lot 016), as outlined in red on the accompanying plat; granting variances from certain bulk regulations (lot area size) and off-street parking requirements; and providing for a special effective date.

Councilmember Middleton made a motion, duly seconded, that pursuant to Article 32, § 5-406 of the Baltimore City Code the Council adopt these findings of fact concerning a conditional use.

Findings of Fact

City Council Bill No. 23-0470

**Zoning - Conditional Use Conversion of a Single-Family Dwelling Unit to 4 Dwelling Units
in the R-8 Zoning District - Variances 704 North Gilmor Street**

- (1) the establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare **for the following reasons:**

Multi-family dwellings are permitted in the R-8 district and this property was previously authorized as a multi-family dwelling but remained vacant and the use lapsed.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan:

The use is permitted by the R-8 district and would not conflict with the Harlem Park II Urban Renewal Plan.

- (3) the authorization **would not** be contrary to the public interest **for the following reasons:**

Use of this property as a multi-family dwelling is in the public interest because it will provide additional housing options in the community

- (4) the authorization **would** be in harmony with the purpose and intent of this Code **for the following reasons:**

Use of this property as a multi-family dwelling will provide additional housing options in the community with no negative impact on public health, safety, or welfare

After consideration of the following, where applicable (**fill out all that are *only* relevant**):

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of structures;

704 North Gilmor Street is located on the west side of the street, approximately 37' north of the intersection with Harlem Avenue. This property measures approximately 17' by 100'7" and is currently improved with a three-story attached residential building measuring approximately 17' by 70'.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

Staff find that there would be no change in traffic patterns and the Parking Authority finds that there is sufficient on-street parking to accommodate demand.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

This property is located in the Harlem Park neighborhood, which is predominantly residential in nature, with the housing stock largely comprised of row homes. There are scattered institutional and small commercial uses throughout the neighborhood.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There is reasonable proximity of other dwellings, churches and other places of worship, schools, public structures, and places of public gathering.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility for emergency vehicles.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

There is adequate accessibility of light and air to the premises.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

There are adequate utilities, roads, drainage, and other necessary facilities.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use of the existing structure would not affect preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

This property is located in the Harlem Park neighborhood, which is predominantly residential in nature, with the housing stock largely comprised of row homes. Staff has received a letter of support from the Harlem Park Neighborhood Council.

- (10) the provisions of the City's Comprehensive Master Plan;

While consistent with provisions of the City's Comprehensive Master Plan, the proposed use is not prevented or limited by any Urban Renewal Plan.

- (11) the provisions of any applicable Urban Renewal Plan;

The proposed use is not prevented or limited by the Harlem Park II Urban Renewal Plan which is applicable to the property.

(12) all applicable standards and requirements of this Code;

The proposed use requires variances from the lot area size, off-street parking, requirements of the Zoning Code. With the variances, the use meets all applicable standards and requirements of the Zoning Code.

(13) the intent and purpose of this Code; and

The proposed use is consistent with the intent and purpose of the Zoning Code.

(14) any other matters considered to be in the interest of the general welfare.

The proposed use is consistent with any other matters considered to be in the interest of the general welfare.

Councilmember Middleton made a motion, duly seconded and pursuant to the applicable sections of Article 32 of the Baltimore City Code, that the Council adopt these findings of fact concerning any variances of applicable standards for:

City Council Bill No. 23-0470

704 North Gilmore Street

Variance for: Variance from lot area size requirements

Threshold Question:

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;
(underline one)

[x] The shape of the **Structure/ Land** involved;
(underline one)

[] The topographical conditions of the **Structure/ Land** involved;
(*underline one*)

and finds either that:

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable
(*underline one*)
requirement from which the variance is sought were applied because:

or that:

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable
(*underline one*)
requirement from which the variance is sought were applied because:

Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The purpose of the variance needed is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

Variance for: Variance from off-street parking requirements

Threshold Question:

[x] *In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

Hardship or Practical Difficulty:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

[x] The physical surroundings around the **Structure/ Land** involved;
(*underline one*)

[x] The shape of the **Structure/ Land** involved;
(*underline one*)

[] The topographical conditions of the **Structure/ Land** involved;
(underline one)

and finds either that:

(1) An unnecessary hardship **Would / Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

or that:

(2) Practical difficulty **Would / Would Not** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

Conditions on which this variance is based are unique to this property and are not generally applicable to other property within the same zoning classification. The purpose of the variance needed is not based exclusively on a desire to increase the value or income potential of the property. The variance would not be injurious to the use and enjoyment of other property in the immediate vicinity and not substantially diminish or impair property values in the neighborhood. The variance requested is in harmony with the Comprehensive Master Plan, and related considerations of public health, safety, and general welfare.

Source of Findings:

(check all that apply)

[x] Planning Report – Planning Commission’s report, dated March 3, 2023, including the Department of Planning Staff Report, dated January 29, 2024.

[x] Testimony presented at the Committee hearing:

[x] Oral – Witnesses Names:

- Michele Toth, Law Department
- Renata Southard, Planning Commission
- James Turner, Department of Transportation
- Jason Wright , Department of Housing and Community Development
- Mica Fetz, Baltimore Development Corporation
- Ty’lor Schenlla – Mayor’s Office of Government Relations

[x] Written – Authors’ Names:

Department of Transportation, Agency Report – Dated May 18, 2024

Board of Municipal and Zoning Appeals, Agency Report – Dated
December 7, 2023

Law Department, Agency Report – Dated March 27, 2024

Department of Housing and Community Development, Agency
Report – April 2, 2024

Baltimore Development Corporation, Agency Report – Dated January 2, 2024

Fire Department, Agency Report – Dated January 10, 2024

Parking Authority, Agency Report – Dated February 1, 2024

Economic and Community Development Committee:

Sharon Green Middleton, Chair

John Bullock

Mark Conway

Odette Ramos

Robert Stokes

Ryan Dorsey

Antonio Glover

Findings of Fact adopted.

Committee Amendments to City Council Bill No. 23-0470

Amendment No. 1

On page 1, in line 3, strike “4” and substitute “3”; and, on that same page, in lines 6 and 17, in each instance, strike “4” and substitute “3”; and, on page 2, in line 4, strike “4” and substitute “3”; and, on that same page, in line 5, strike “2,625” and substitute “1,875”; and, on that same page, in that same line, strike “1,708.50” and substitute “1,710”; and, on that same page, in line 6, strike “34.91%” and substitute “8.8%”.

Amendment No. 2

Strike the accompanying plat in its entirety and substitute with the attached.

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.

Favorable report, as amended, adopted.

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

**BILL NO. 24-0494 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 24-0494 favorably.

An Ordinance amending certain prohibited uses within the Chesapeake Bay Critical Area Overlay Zoning District; defining certain terms; and establishing a special effective date.

Favorable report adopted.

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

**BILL NO. 23-0465 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember McCray, for the Health, Environment, and Technology Committee, reported Bill No. 23-0465 favorably, with amendments.

An Ordinance establishing certain standards and requirements for authorized tree removal along certain rights-of-way; requiring that the Department of Recreation and Parks approve any tree removal on land operated by the Department; specifying the procedure for tree removal mitigation on land operated by the Department of Recreation and Parks; conforming, clarifying, and correcting related provisions; defining certain terms; and generally relating to the removal of trees on certain City properties.

Committee Amendments to City Council Bill No. 23-0465

Amendment No. 1

On page 2, after line 3, insert:

“(B) BREAST HEIGHT.

“BREAST HEIGHT” MEANS 4.5 FEET OFF OF THE GROUND.

(C) CALIPER INCH.

“CALIPER INCH” MEANS 6 INCHES OFF OF THE GROUND.”;

and, on that same page, in lines 4, 10, 15, and 19, strike “(B)”, “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, “(F)”, and “(G)”, respectively; and, on page 5, in lines 10 and 11, strike “HEIGHT (4.5 FEET OFF OF THE GROUND);” and substitute “HEIGHT;”; and, on that same page, in lines 12 and 13, strike “INCH (6 INCHES OFF THE GROUND).” and substitute “INCH.”; and, on page 6, in lines 16 and 17 and in lines 24 and 25, strike “HEIGHT (4.5 FEET OFF OF THE GROUND);” and substitute “HEIGHT;”; and, on that same page, in lines 26 and 27 strike “INCH (6 INCHES OFF THE GROUND).” and substitute “INCH.”.

Amendment No. 2

On page 4, in line 14, strike “A” and substitute “UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE DIRECTOR OF THE DEPARTMENT OF RECREATION AND PARKS OR THE DIRECTOR’S DESIGNEE, A”; and, on page 5, in line 31, strike “A” and substitute “UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE DIRECTOR OF THE DEPARTMENT OF RECREATION AND PARKS OR THE DIRECTOR’S DESIGNEE, A”.

Amendment No. 3

On page 5, after line 27, insert:

“(5) EXEMPTIONS FROM MITIGATION REQUIREMENTS.

THE DEPARTMENT OF RECREATION AND PARKS MAY EXEMPT A TREE FROM THE MITIGATION REQUIREMENTS OF THIS SUBSECTION IF THE DEPARTMENT OF RECREATION AND PARKS DETERMINES THAT THE TREE IS:

(I) DEAD;

(II) DYING;

(III) DISEASED OR OTHERWISE INFECTED AND CONTAGIOUS; OR

(IV) AT HIGH RISK OF DEATH, DISEASE, OR FAILURE, AS DETERMINED BY THE BALTIMORE CITY FORESTRY DIVISION OF THE DEPARTMENT OF RECREATION AND PARKS.”.

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. 23-0201R REPORTED FAVORABLY
AND ADOPTED**

Councilmember McCray, for the Health, Environment, and Technology Committee, reported Bill No. 23-0201R favorably.

A Resolution inviting representatives from the Department of Public Works, the Baltimore Health Department, Baltimore City hospitals, institutions that make use of medical waste incinerators in Baltimore City, and any other relevant stakeholders to discuss: (1) which local hospitals send waste to medical incinerators in Baltimore City and which local hospitals do not; (2) what, if any, oversight mechanisms these hospitals have in place over their hazardous waste disposal service contracts; (3) the sustainability and environmental justice commitments local hospitals have made and how those commitments may conflict with service contracts the hospitals have with medical waste incineration companies that have long histories of environmental violations; and (4) what hospitals intend to do in the immediate future to mitigate the negative effects of their medical waste disposal on Baltimore's communities.

Now, therefore, be it resolved by the City Council of Baltimore, That the City Council invites representatives from the Department of Public Works, the Baltimore Health Department, Baltimore City hospitals, institutions that make use of medical waste incinerators in Baltimore City, and any other relevant stakeholders to discuss: (1) which local hospitals send waste to medical incinerators in Baltimore City and which local hospitals do not; (2) what, if any, oversight mechanisms these hospitals have in place over their hazardous waste disposal service contracts; (3) the sustainability and environmental justice commitments local hospitals have made and how those commitments may conflict with service contracts the hospitals have with medical waste incineration companies that have long histories of environmental violations; and (4) what hospitals intend to do in the immediate future to mitigate the negative effects of their medical waste disposal on Baltimore's communities.

And be it further resolved, That a copy of this Resolution be sent to the Director of the Department of Public Works, the Commissioner of the Baltimore Health Department, relevant stakeholders, and the Mayor's Legislative Liaison to the City Council.

Favorable report adopted.

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

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

The President declared the Resolution adopted.

**BILL NO. 24-0427 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Conway, for the Public Safety and Government Operations Committee, reported Bill No. 24-0427 favorably.

An Ordinance adding the Baltimore Police Department to the list of City agencies who are required to designate 2 agency staff members to participate in certain trauma-informed training and activities.

Favorable report adopted.

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

THIRD READING TODAY

Councilmember Costello made a motion, which was duly seconded, to place Bill No. 24-0494 on third reading today.

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

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

The President declared that three fourths of all the members-elect, voting in the affirmative, Article 3, Section 14 of the Charter having been complied with, the bill was placed on third reading file.

The President laid before the City Council:

BILL NO. 24-0494 - An Ordinance amending certain prohibited uses within the Chesapeake Bay Critical Area Overlay Zoning District; defining certain terms; and establishing 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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

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

THIRD READING

The President laid before the City Council:

BILL NO. 22-0301 - An Ordinance authorizing the Mayor and City Council of Baltimore to sell, at either public or private sale, all its interest in certain property that is located at 844 Roundview Road (Block 7622; Lot 002) and is no longer needed for public use; 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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

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

BILL NO. 23-0430 - An Ordinance changing the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning District to the I-1 Zoning District.

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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

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

BILL NO. 24-0488 - An Ordinance providing a Supplementary General Fund Operating Appropriation in the amount of \$581,334 to M-R: Arts and Culture - Service 824 (Events: Art: Culture: and Film), to provide funding for general operations; 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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

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

BILL NO. 24-0489 - An Ordinance amending the composition of the Youth Commission; providing for the compensation of Commission members; providing for the selection of certain officers; establishing the Executive Committee; providing for the membership and duties of the Executive Committee; requiring the adoption of a constitution and bylaws; updating the powers and duties of the Commission; providing for staff to the Commission; requiring agency cooperation with the Commission; and generally related to amending certain provisions related to the Commission.

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, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Ramos - Total 12.

Nays - 0.

Absent - Schleifer, Stokes, Glover - Total 3.

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

ADJOURNMENT

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, April 15, 2024, at 5:00 p.m.

Consent Calendar

CR 2096 Torrence

A Baltimore City Council Resolution congratulating Wash Zone on your Grand Opening and providing valuable services to the Greater Walbrook Community.

CR 2097 Bullock

A Baltimore City Council Resolution congratulating Ms. Jean Wilson Richi on your faithful and dedicated services to others.

CR 2098 Bullock

A Baltimore City Council Resolution congratulating Mr. Charles "Chaz" Scott on your faithful and dedicated services to others.

CR 2099 Bullock

A Baltimore City Council Resolution congratulating Ms. Yvonne Fletcher on your faithful and dedicated service to others.

CR 2100 Bullock

A Baltimore City Council Resolution congratulating Mr. Terris King, II on your faithful and dedicated service to others.

CR 2101 Bullock

A Baltimore City Council Resolution congratulating Dr. Anthony Brown on your faithful and dedicated service to others.

CR 2102 Bullock

A Baltimore City Council Resolution congratulating Mr. Jesse J. Bennett, Jr. on your faithful and dedicated service to others.

CR 2103 Bullock

A Baltimore City Council Resolution congratulating Dr. Cecil W. Payton on your faithful and dedicated service to others.

CR 2104 Cohen

A Baltimore City Council Resolution congratulating Shirley Edmond on your many years of service to the Baltimore City Department of Housing and Community Development.

CR 2105 President Mosby, All Members

A Baltimore City Council Resolution to the Family of Eric T. Ausby, August 14, 1958 - March 11, 2024.

CR 2106 Cohen

A Baltimore City Council Resolution congratulating Joshua J. Drexler, Mark A. Lopez, Frank A. Snyder, Mark Lemmon, Haseeb Durrani, William Buttner, Justin M. King, Joshua A. Wodka, Mihael B. Connelly, Stephen Kehne, Cody Lust, Maria Ashley, Christopher Rondholz, Mark Fritsch Jr., Zephyr Agena, Chaz Carter, and Maria Perez on your heroic efforts and selfless bravery during the Lombard Fire Emergency, safeguarding lives and protecting the community!

CR 2107 President Mosby, All Members

A Baltimore City Council Resolution congratulating Deanna Effland on your retirement after 30 years of dedicated and committed service to the City of Baltimore and its citizens.

CR 2108 President Mosby, All Members

A Baltimore City Council Resolution congratulating Adrian McGinnis on your retirement after 22 years of dedicated and committee service to the City of Baltimore and its citizens.

CR 2109 Torrence

A Baltimore City Council Resolution congratulating Mrs. Renee E. Jennings-Watkins on your dedication and service to the Druid Heights Community.

CR 2110 President Mosby, All Members

A Baltimore City Council Resolution congratulating Tov Pizza on your 40th Anniversary and all of the joy Tov has brought to Baltimore City.

CR 2111 Middleton

A Baltimore City Council Resolution congratulating Bishop Luther C. Moore on your 75th Birthday Celebration!

CR 2112 President Mosby, All Members

A Baltimore City Council Resolution congratulating Janet Major on your retirement after 43 years of committee and dedicated service to the Social Security Administration.

CR 2113 President Mosby, All Members

A Baltimore City Council Resolution to the Family of Calvin Walker Brown, April 1, 1950 - March 14, 2024.

CR 2114 Cohen

A Baltimore City Council Resolution on the death of Benjamin McDonald, September 4, 1941 - March 12, 2024.

CR 2115 President Mosby, All Members

A Baltimore City Council Resolution on the death of Willie Bunch, January 2, 1947 - March 19, 2024.

CR 2116 Cohen

A Baltimore City Council Resolution congratulating John L. Damario on your lifetime of service to the residents of Baltimore City.

CR 2117 President Mosby, All Members

A Baltimore City Council Resolution to the Family of Arlene Ann Singleton Benbow, March 3, 1937 - March 21, 2024.

CR 2118 President Mosby, All Members

A Baltimore City Council Resolution on the death of Connie D. Rice, April 15, 1934 - April 20, 2024.

CR 2119 President Mosby, All Members

A Baltimore City Council Resolution congratulating Pastor Dr. Rahsaan Armand on your installation as Pastor of St. Paul Baptist church.

CR 2120 Porter and Cohen

A Baltimore City Council Resolution in recognition of the Key Bridge Collapse First Responders for your swift response and dedication as a first responder during the Key Bridge Collapse emergency.

CR 2121 Torrence

A Baltimore City Council Resolution on the death of Edwin Lane, September 3, 1964 - March 25, 2024.

CR 2122 President Mosby, All Members

A Baltimore City Council Resolution on the death of Majorie B. Jones Carter, August 7, 1938 - March 26, 2024.

CR 2123 President Mosby, All Members

A Baltimore City Council Resolution on the death of Bishop Michael A. Smith, April 27, 1949 - March 31, 2024.

CR 2124 Cohen

A Baltimore City Council Resolution congratulating Amici's on your commitment to Baltimore Strong and for feeding our emergency rescue workers.

CR 2125 President Mosby, All Members

A Baltimore City Council Resolution congratulating Forest Park High School on your existence and service to students for 100 years.