

ECONOMIC AND COMMUNITY DEVELOPMENT COMMITTEE

FINDINGS OF FACT

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 ARTICLE 32, SECTION 5-406 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING:

City Council Bill No. 22-0323

Zoning - Conditional Use Parking Lot - 3618 and 3620 Elm Avenue

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:**

The bill authorizes the establishment, maintenance, and operation of an open-air off-street parking area on the properties known as 3618 Elm Avenue and 3620 Elm Avenue. The proposed parking lot would serve patrons of the commercial establishment at 3601 Elm Avenue, and accordingly reduce demand for on-street parking. The largely residential 3600 block of Elm Avenue is subject to parking demand associated with the various establishments located on several blocks of 36th Street in the vicinity. As the business at 3601 Elm Avenue is a retail business, most use of the parking lot would be short-term during the hours that the business is open. The proposed use would thus not be detrimental to the public health, safety, or welfare, and would tangentially benefit nearby residents.

2. the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

The subject properties are not located in the Hampden Business Area Urban Renewal Plan area, or in any other overlay district that would preclude the proposed use.

3. the authorization **would not** be contrary to the public interest **for the following reasons:**

The proposed parking lot would serve patrons of the commercial establishment at 3601 Elm Avenue, and accordingly reduce demand for on-street parking in the largely residential 3600 block of Elm Avenue. Most use of the parking lot would be short-term during the hours that the business at 3601 Elm Avenue is open. The proposed use would thus not be contrary to the public interest.

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

The proposed parking lot would serve patrons of the commercial establishment at 3601 Elm Avenue, and accordingly reduce demand for on-street parking in the largely residential 3600

block of Elm Avenue. Most use of the parking lot would be short-term during the hours that the business at 3601 Elm Avenue is open. The proposed use would thus be in harmony with the purpose and intent of the Code.

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

1. the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

3618 Elm Avenue and 3620 Elm Avenue are adjoining lots, each measuring 18' wide by 162'6" deep, that extend mid-block from Elm Avenue to a 10' wide alley running parallel to Elm Avenue to its west. The owner proposes to use them as overflow off-street parking for a business located on the opposite side of Elm Avenue in that same block. The proposed parking lot would provide ten parking spaces angled northerly from a drive aisle by which traffic would enter from Elm Avenue and exit via the 10' wide alley that parallels Elm Avenue to its west.

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

Traffic flow along Elm Avenue should not be impeded as there will be a one-way-in entrance to the lot from Elm Avenue, while all vehicles that use the lot would exit to its west using the 10' wide alley that runs northward to 37th Street.

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

This site is part of the Hampden community, which for over 175 years has contained a mix of residential, commercial, and industrial uses. The two lots proposed for use as an open-air off-street parking lot are located immediately north of "the Avenue" which is the name used for the central business corridor of Hampden that extends eastward from Falls Road along both sides of 36th Street. The southern boundary of 3618 Elm Avenue (Block 3538, Lot 038) forms part of the northern boundary of the Hampden Business Area Urban Renewal Area (Urban Renewal Plan adopted in 1977 and last amended in 2020) and thus this site is adjoining the Hampden Business Area while not being part of it.

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 of the premises for emergency vehicles.

6. accessibility of light and air to the premises and to the property in the vicinity;

There is adequate light and air to the premises and to properties in the vicinity.

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

Adequate utilities, access roads, drainage, and other necessary facilities have been provided.

8. the preservation of cultural and historic landmarks and structures;

As Hampden is a historic district developed before advent of the automobile, there is limited off-street parking available and strong competition for on-street parking spaces. By providing additional off-street parking, the proposed use will benefit the commercial and residential uses in the neighborhood.

9. the character of the neighborhood;

This site is part of the Hampden community, which for over 175 years has contained a mix of residential, commercial, and industrial uses. The two lots proposed for use as an open-air off-street parking lot are located immediately north of "the Avenue" which is the name used for the central business corridor of Hampden that extends eastward from Falls Road along both sides of 36th Street.

10. the provisions of the City's Comprehensive Master Plan;

The proposed use is consistent with the Comprehensive Master Plan for Baltimore.

11. the provisions of any applicable Urban Renewal Plan;

The proposed use is not prevented or limited by any Urban Renewal Plan.

12. all applicable standards and requirements of this Code;

The proposed use would meet 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.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Commission's report, dated February 10, 2023, including the Department of Planning Staff Report, dated February 9, 2023.

[X] Testimony presented at the Committee hearing.

Oral – Witness:

- Elena DiPietro, Law Department
- Eric Tiso, Planning Commission
- Liam Davis, Department of Transportation
- Sadaf Omar, Baltimore Development Corporation
- Arco Sen, Parking Authority
- Nina Themelis, Mayor's Office of Government Relations

Written:

- Department of Transportation, Agency Report – Dated June 16, 2023
- Board of Municipal and Zoning Appeals, Agency Report – Dated December 6, 2022
- Law Department, Agency Report – Dated March 26, 2023
- Department of Housing and Community Development, Agency Report – Dated March 28, 2023
- Baltimore Development Corporation, Agency Report – Dated March 15, 2023
- Parking Authority, Agency Report – Dated January 3, 2023

COMMITTEE MEMBERS VOTING IN FAVOR

Sharon Green Middleton, Chair

John Bullock

Mark Conway

Odette Ramos

Robert Stokes