

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

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HEARING NOTES

Ordinance: 20-0531

Rezoning - 3006, 2926, and 2928 Boarman Avenue and Block 3185, Lot 49

Committee: Land Use
Chaired by: Councilmember Edward Reisinger

Hearing Date: July 15, 2020
Time (Beginning): 1:15 PM
Time (Ending): 2:05 PM
Location: Webex Virtual Hearing
Total Attendance: Approximately 32 people
Committee Members in Attendance:

Edward Reisinger Shannon Sneed
Mary Pat Clarke Eric Costello
Ryan Dorsey Sharon Green Middleton
Leon Pinkett

Bill Synopsis in the file? [X] YES [] NO [] N/A
Attendance sheet in the file? [X] YES [] NO [] N/A
Agency reports read? [X] YES [] NO [] N/A
Hearing televised or audio-digitally recorded? [X] YES [] NO [] N/A
Certification of advertising/posting notices in the file? [X] YES [] NO [] N/A
Evidence of notification to property owners? [X] YES [] NO [] N/A
Final vote taken at this hearing? [X] YES [] NO [] N/A
Motioned by: Clarke
Seconded by: Dorsey
Final Vote: Favorable

Major Speakers

(This is not an attendance record.)

Eric Tiso, Department of Planning
Hilary Ruley, Department of Law
Alyssa Domzal, Esquire, Representative for the Applicant

Major Issues Discussed

1. Chairman Reisinger called the hearing to order; read the bill number, title, and purpose; and confirmed that the public notice requirements were met.
2. Councilwoman Middleton explained the purpose of the bill.
3. Eric Tiso summarized the Planning Commission's findings and recommendations. He further explained the Planning Commission's amendments to rezone two additional properties and the Planning Department's outreach to those property owners.
4. Councilwoman Clarke asked Mr. Tiso to respond to the public notice issues related to the amendments raised in the Law Department's written report. Mr. Tiso noted that the intent of the law is to ensure that the property owners know when a change is proposed for their property and that was accomplished here by Planning staff providing direct notice. He also noted that the applicant did not have permission to post signs on the properties in the amendments. Finally, he explained that the amendments would correct clear errors for the individual property owners without forcing them to go through the time and expense required for separate legislation.
5. Hilary Ruley summarized the recommendations in the Law Department's written report and explained the requirements for public notice. She further discussed the likelihood of a reviewing court finding that the amendments were severable from the original bill if challenged and other potential outcomes.
6. Stephanie Murdock confirmed the recommendation in the Department of Housing and Community Development's written report.
7. Chairman Reisinger read the recommendations from the other agencies' written reports on the bill.
8. Alyssa Domzal outlined facts supporting a finding of mistake in the current zoning of 3006, 2926, and 2928 Boarman Avenue and Block 3185, Lot 49. She noted that the properties have been commonly owned for some time, but cannot be practically redeveloped because they are in different zones. She also explained that the rezoning is essential to allow the developer to accommodate changes to the project requested by the surrounding community.
9. The committee discussed the proposed amendments, but there was no motion to adopt them.
10. The committee voted to approve the findings of fact.
11. The committee voted to recommend the bill favorably.

Further Study

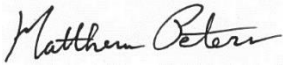
Was further study requested?

Yes No

If yes, describe.

Committee Vote:

E. Reisinger: **Yea**
S. Sneed: **Yea**
M. Clarke: **Yea**
E. Costello: **Yea**
R. Dorsey: **Yea**
S. Middleton: **Yea**
L. Pinkett: **Yea**
R. Stokes: **Absent**



Matthew L. Peters, Committee Staff

Date: July 16, 2020

Cc: Bill File
OCS Chrono File