

LAND USE COMMITTEE

FINDINGS OF FACT

City Council Bill No. 20-0590

MOTION OF THE CHAIR OF THE LAND USE 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 A CONDITIONAL USE FOR:

Zoning - Conditional Use Parking Lot - 1301-1325 Etting Street, 505, 507, 509, and 511 West Lafayette Avenue, and the Alley Adjacent to 1325 Etting 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:**

The authorization will allow the applicant to use the properties as a parking lot. As a parking lot, the properties will be protected from further deterioration and neglect, and support an institutional use in the neighborhood. The neighborhood will also benefit because street parking will not be taken up by congregants. The final plan for the parking lot will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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

The proposed use is not precluded by any other law or Urban Renewal Plan for this area.

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

The authorization will allow the applicant to use the properties as a parking lot. As a parking lot, the properties will be protected from further deterioration and neglect, and support an institutional use in the neighborhood. The neighborhood will also benefit because street parking will not be taken up by congregants. The final plan for the parking lot will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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

The authorization will allow the applicant to use the properties as a parking lot. As a parking lot, the properties will be protected from further deterioration and neglect, and support an institutional use in the neighborhood. The neighborhood will also benefit because street parking will not be taken up by congregants. The final plan for the parking lot will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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;

The nature of the proposed site, including its size and shape, are adequate for the proposed use as a parking lot. The final plan for the parking lot will be subject to approval by the Site Plan Review Committee to ensure that it meets all applicable requirements.

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

There will be no negative impact to traffic patterns. Approval of the parking lot will likely prevent negative impacts to traffic and parking in the area by providing congregants of the adjacent church with an alternative to on-street parking.

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

The site had previously been vacant, but now productively supports an adjacent institutional use. The proposed parking lot will not negatively impact adjacent homes as vacant properties would.

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

The site will support the adjacent institutional use. There will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other 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;

The proposed use will not interfere with preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

The properties are located in the Upton neighborhood, which is roughly bounded by West Preston Street, McCulloh Street, Bloom Street and North Fremont Avenue. The neighborhood is predominantly residential in nature, with a variety of housing types. There are also scattered religious, educational, and institutional uses throughout the area. The proposed use will not alter the character of the neighborhood.

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

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

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

The proposed use does not conflict with any applicable Urban Renewal Plan.

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

The proposed use meets all applicable standards and requirements of the Zoning Code, and the final plan for the parking lot will be subject to approval by the Site Plan Review Committee.

- (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 that may be considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Commission's report, dated September 11, 2020, which included the Department of Planning Staff Report, dated September 10, 2020.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Eric Tiso, Planning Department
- Hilary Ruley, Law Department
- Councilman Eric Costello
- Reverend Patrick Clayborn, Representative for the Applicant

Written:

- Department of Transportation, Agency Report – Dated September 15, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated August 24, 2020
- Law Department, Agency Report – Dated September 15, 2020
- Department of Housing and Community Development, Agency Report – Dated September 9, 2020
- Baltimore Development Corporation, Agency Report – Dated September 9, 2020
- Parking Authority, Agency Report – Dated August 31, 2020

COMMITTEE MEMBERS VOTING IN FAVOR

Edward Reisinger, Chair
Shannon Sneed, Vice Chair
Mary Pat Clarke
Eric Costello
Sharon Green Middleton
Leon Pinkett
Robert Stokes