

# LAND USE COMMITTEE

## FINDINGS OF FACT

### City Council Bill No: 20-0619

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 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 - 1900, 1904, 1910, and 1916 Light Street**

Upon finding as follows with regard to:

(1) Population changes;

There have been several large multi-family apartment buildings constructed in the immediate area over the past several years, as well as several larger apartment buildings in the area currently under construction.

(2) The availability of public facilities;

This site is well-served by public services and utilities, which can support the continued use or redevelopment of this site.

(3) Present and future transportation patterns;

There would be no negative effect upon present or future transportation patterns in the area as a result of adoption of this bill.

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

The proposed zoning district is compatible with the existing and proposed development for the area, as it will allow for neighborhood-supporting commercial uses, as well as potential additional residential development.

- (5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	No Objection
City Solicitor	Favorable with Comments
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Parking Authority	Not Opposed

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

The proposed action would be consistent with the Comprehensive Master Plan for Baltimore City Live Goal 2, Objective 4 (Protect and Enhance the Preservation of Baltimore's Historic Buildings and Neighborhoods). Additionally, the rezoning would support the Baltimore Sustainability Plan's Human-made Systems: Neighborhoods: Strategy 3 (Encourage, support, and implement neighborhood improvements) and the South Baltimore Gateway Master Plan's Goal 4 (Community Development and Revitalization – Improve the Quality of Neighborhoods to Increase the Marketability of Properties and Promote Investment).

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

Existing uses of property within the general area of this site are a mix of residential and commercial. The site is located in the South Baltimore neighborhood, and is in an area comprised of mainly rowhomes and apartment complexes.

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

The adjacent properties are zoned R-8 and there are properties zoned I-1, IMU-1, and O-R-2 nearby. Rezoning the subject properties to C-1 would be compatible with the adjacent R-8 zoning designation and would facilitate neighborhood-focused commercial uses to serve area residents.

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

The properties are former industrial buildings and are found on the south side of the intersection with East Wells Street. The site includes four attached buildings, each on its own parcel. The northernmost and southernmost buildings are one story in height, while the middle two buildings are two stories. The current R-8 zoning designation would make any redevelopment of the site that preserves the historic buildings very challenging, which suggests that the current zoning is not appropriate.

- (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 been significant changes to the immediate area of the subject properties since the last comprehensive rezoning in 2016 that have added many additional residents to the area, and additional residential and commercial development is currently under construction in the area. The C-1 zoning designation is appropriate in that it attempts to blend buildings with historic industrial uses into the contemporary residential neighborhood.

- (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 area around the properties has been redefined within the past several years with the construction of several new multi-family apartment buildings that have added several hundred residential units to the neighborhood. In addition, numerous formerly vacant properties have been renovated and now are used for residential and commercial purposes. There are currently under construction additional multi-family apartment buildings two blocks to the west on Hanover Street that will bring several hundred additional residential units to the neighborhood.

- (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:

Prior to Transform Baltimore, the site was zoned R-8. It is unclear how this zoning designation was selected, but it does appear to be generally incompatible with the existing historic building form and industrial uses since the properties were first developed in the late 19th century. During the Transform comprehensive rezoning

process, a redevelopment scheme was proposed for the site that included demolition of the buildings and the construction of fee-simple townhomes. This proposal failed to materialize, and the resulting continuation from the former R-8 designation now fails to provide for a reasonable reuse of the historic buildings due to use restrictions and bulk requirements.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report – Planning Commission’s report, dated October 9, 2020, which included the Department of Planning Staff Report, dated October 8, 2020.

[X] Testimony presented at the Committee hearing

Oral – Witness:

- Kaliel Barmer, Planning Department
- Victor Tervalo, Law Department

Written:

- Department of Transportation, Agency Report – Dated November 3, 2020
- Board of Municipal and Zoning Appeals, Agency Report – Dated October 26, 2020
- Law Department, Agency Report – Dated October 21, 2020
- Department of Housing and Community Development, Agency Report – Dated October 26, 2020
- Baltimore Development Corporation, Agency Report – Dated October 28, 2020
- Parking Authority, Agency Report – Dated October 22, 2020

**COMMITTEE MEMBERS VOTING IN FAVOR**

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