



**BALTIMORE CITY COUNCIL  
COMMITTEE ON ECONOMIC AND COMMUNITY  
DEVELOPMENT**

*Mission Statement*

*On behalf of the Citizens of Baltimore City*, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

**The Honorable Sharon Green Middleton**

**PUBLIC HEARING**

**March 2, 2021**

**2:25 PM**

**Virtual Webex Meeting**

**City Council Bill #21-0015**

**Zoning - Conditional Use Parking Lots -  
115 and 118 Mount Clare Street**

## CITY COUNCIL COMMITTEES

### **ECONOMIC AND COMMUNITY DEVELOPMENT (ECD)**

Sharon Green Middleton, Chair  
John Bullock  
Mark Conway  
Ryan Dorsey  
Antonio Glover  
Odette Ramos  
Robert Stokes  
*Staff: Jennifer Coates*

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Kristerfer Burnett  
Ryan Dorsey  
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Isaac "Yitzy" Schleifer  
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James Torrence  
Isaac "Yitzy" Schleifer  
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Kristerfer Burnett  
Mark Conway  
Eric Costello  
Sharon Green Middleton  
Odette Ramos  
James Torrence  
*Staff: Richard Krummerich*



**BILL SYNOPSIS**

**Committee: Economic and Community Development**

**Bill: 21-0015**

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**Zoning - Conditional Use Parking Lots - 115 and 118 Mount Clare Street**

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**Sponsor:** Councilmember Bullock

**Introduced:** January 11, 2021

**Purpose:**

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the accompanying plat.

**Effective:** The 30<sup>th</sup> day after the date it is enacted

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**Agency Reports**

Planning Commission	Favorable/Amendment
Board of Municipal and Zoning Appeals	
Department of Transportation	
City Solicitor	Favorable/Comments
Department of Housing and Community Development	
Baltimore Development Corporation	
Parking Authority of Baltimore City	Not Opposed

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## Analysis

### Current Law

Article 32 – Zoning, Section(s) 5-201(a) and Table 9-301 (R-8). Baltimore City Revised Code (Edition 2000).

### Background

The bill would authorize the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street and 118 Mount Clare Street. The parking lots will serve the building at 1020 West Pratt Street, which was recently rezoned to the IMU-1 District and is planned for redeveloped for a mix of uses that will need off-street parking.

The properties are located on either side of Mount Clare Street in the middle of the block between the intersections with West Lombard and West Pratt Streets. 115 Mount Clare Street is unimproved grass and 118 Mount Clare Street is paved, but otherwise unimproved. The lots are immediately north of 1020 West Pratt Street.

The properties are located in the Hollins Market neighborhood, which is roughly bounded by West Pratt Street, MLK Boulevard, West Baltimore Street, and South Carey Street. The properties are located within the Poppleton Urban Renewal Plan area.

### Amendments

The Planning Commission recommended an amendment to make the authorization subject to the following conditions:

1. That the parking lot is approved by the Site Plan Review Committee; and
  2. That the parking lot meet the requirements of the Landscape Manual.
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## Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Statement of Intent, Reporting Agencies, Bill 21-0015

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Analysis by: Jennifer L. Coates

Direct Inquiries to: 410-396-1260

Analysis Date: February 25, 2021

**CITY OF BALTIMORE  
COUNCIL BILL 21-0015  
(First Reader)**

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Introduced by: Councilmember Bullock

At the request of: Innovation Alley, LLC

Address: Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18<sup>th</sup> Floor,  
Baltimore, Maryland 21202

Telephone: 410-528-5510

Introduced and read first time: January 11, 2021

Assigned to: Economic and Community Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Municipal and Zoning Appeals, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation, Baltimore City Parking Authority Board

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Parking Lots –**  
3 **115 and 118 Mount Clare Street**

4 FOR the purpose of permitting, subject to certain conditions, the establishment, maintenance, and  
5 operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251,  
6 Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the  
7 accompanying plat; and providing for a special effective date.

8 BY authority of

9 Article 32 - Zoning  
10 Section(s) 5-201(a) and Table 9-301 (R-8)  
11 Baltimore City Revised Code  
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
14 permission is granted for the establishment, maintenance, and operation of parking lots on the  
15 properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street  
16 (Block 0251, Lot 072, as outlined in red on the plat accompanying this Ordinance, in accordance  
17 with Baltimore City Zoning Code § 5-201(a) and Table 9-301 (R-8), subject to the condition that  
18 the parking lots comply with all applicable federal, state, and local licensing and certification  
19 requirements.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
21 accompanying plat and in order to give notice to the agencies that administer the City Zoning  
22 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council  
23 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;  
24 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the  
25 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of

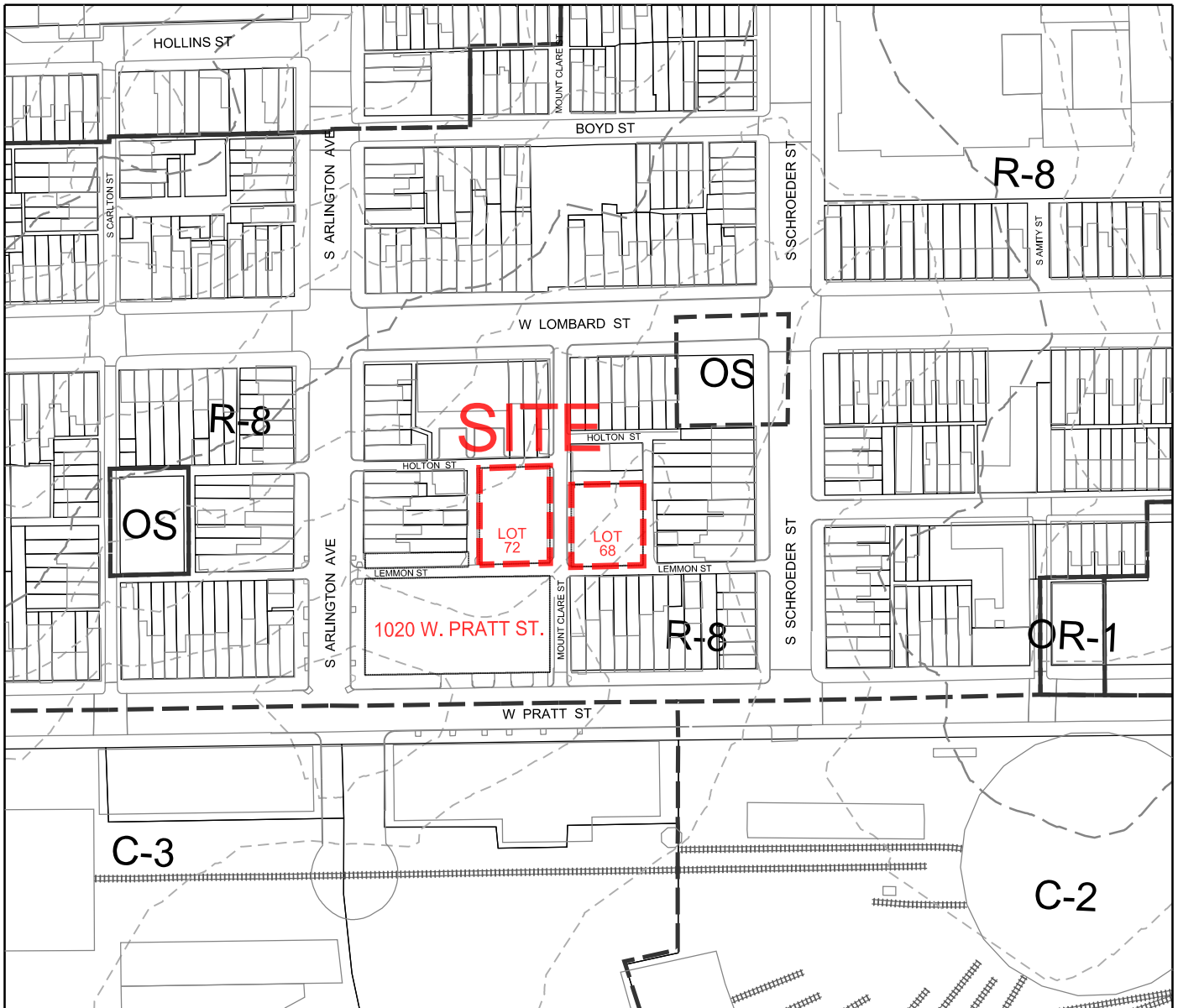
EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 21-0015**

1 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and  
2 the Zoning Administrator.

3 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is  
4 enacted.

**SHEET NO. XX OF THE ZONING DISTRICT MAP  
OF THE BALTIMORE CITY ZONING CODE**



**NOTE:**

THE APPLICANT REQUESTS, FOR THE PURPOSE OF PERMITTING, SUBJECT TO CERTAIN CONDITIONS, THE ESTABLISHMENT, MAINTENANCE, AND OPERATION OF OPEN OFF-STREET PARKING AREAS TO SERVE THE BUILDING AT 1020 W. PRATT STREET ON THE PROPERTIES AS OUTLINED HEREON IN RED.

MAYOR

PRESIDENT CITY COUNCIL

PLAT PREPARED BY:



**STV INCORPORATED**  
7125 AMBASSADOR ROAD, STE 200  
BALTIMORE, MD 21244

APPLICANT

**INNOVATION ALLEY, LLC**  
900 E. FORT AVE., STE 900  
BALTIMORE, MD 21230

C/O TODD JAMES  
PHONE: (443) 478-1200

PLAT TO ACCOMPANY CONDITIONAL USE

**1020 WEST PRATT STREET**

1020 WEST PRATT STREET  
BALTIMORE, MD 21223

WARD: 18 SECTION: 8 BLOCK: 251 LOTS: 68, 72

SCALE: 1"=150'

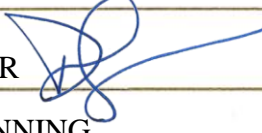

DATE: AUG. 7, 2020



# **COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT**

## **21-0015 AGENCY REPORTS**

Planning Commission	Favorable/Amendment
Board of Municipal and Zoning Appeals	
Department of Transportation	
City Solicitor	Favorable/Comments
Department of Housing and Community Development	
Baltimore Development Corporation	
Parking Authority of Baltimore City	Does Not Oppose

<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #21-0015 / ZONING – CONDITIONAL USE PARKING LOTS – 115 AND 118 MOUNT CLARE STREET		

**TO** The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

DATE: January 14, 2021

At its regular meeting of January 15, 2021, the Planning Commission considered City Council Bill #21-0015, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the accompanying plat; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #21-0015 and adopted the following resolutions; seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings outlined in the previous staff report, with consideration for testimony and facts presented in that meeting, and recommends that City Council Bill #21-0015 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Ms. Natasha Mehu, Mayor's Office  
Ms. Nina Themelis, Mayor's Office  
The Honorable Eric Costello, Council Rep. to Planning Commission  
Mr. Colin Tarbert, BDC  
Ms. Livhu Ndou, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Dominic McAlily, Council Services

<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #20-0591 / ZONING – CONDITIONAL USE PARKING LOTS – 115 AND 118 MOUNT CLARE STREET		

**TO** The Honorable President and  
 Members of the City Council  
 City Hall, Room 400  
 100 North Holliday Street

DATE: September 11, 2020

At its regular meeting of September 11, 2020, the Planning Commission considered City Council Bill #20-0591, for the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the accompanying plat.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #20-0591 and adopted the following resolution; nine members being present (nine in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #20-0591 be amended and passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

cc: Mr. Nicholas Blendy, Mayor's Office  
 Mr. Matthew Stegman, Mayor's Office  
 Ms. Nina Themelis, Mayor's Office  
 The Honorable Edward Reisinger, Council Rep. to Planning Commission  
 Mr. Colin Tarbert, BDC  
 Ms. Livhu Ndou, BMZA  
 Mr. Geoffrey Veale, Zoning Administration  
 Ms. Stephanie Murdock, DHCD  
 Ms. Elena DiPietro, Law Dept.  
 Mr. Francis Burnszynski, PABC  
 Mr. Liam Davis, DOT  
 Ms. Natawna Austin, Council Services  
 Mr. Dominic McAlily, Council Services  
 Ms. Alyssa Domzal, Esq.



Bernard C. "Jack" Young  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

September 10, 2020

**REQUEST:** City Council Bill #20-0591/ Zoning - Conditional Use Parking Lots - 115 and 118 Mount Clare Street:

For the purpose of permitting, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072), as outlined in red on the accompanying plat.

**RECOMMENDATION:** Approval, subject to the following conditions:

- That the parking lot is approved by the Site Plan Review Committee; and
- That the parking lot meet the requirements of the Landscape Manual.

**STAFF:** Eric Tiso

**PETITIONER:** Innovation Alley, LLC, c/o Alyssa Domzal, Esq.

**OWNER:** The 1020 Corporation

### **SITE/GENERAL AREA**

Site Conditions: These R-8 zoned properties are located on either side of Mount Clare Street, in the middle of the block between the intersections with West Lombard and West Pratt Streets. 115 Mount Clare Street is unimproved grass, and 118 Mount Clare Street is paved, but otherwise unimproved. These lots are immediately north of 1020 West Pratt Street.

General Area: These properties are located in the Hollins Market neighborhood, which is roughly bounded by West Pratt Street, MLK Boulevard, West Baltimore Street, and South Carey Street.

### **HISTORY**

- These properties are located within the Poppleton Urban Renewal Plan, which was originally approved by the Mayor and City Council of Baltimore by Ord. #75-837, and was last amended by Ord. #14-299, dated October 1, 2014.
- On September 12, 2019, the Planning Commission reviewed CCB #19-0427 – Rezoning – 1020 West Pratt Street, which is for the building these proposed parking lots will serve. That bill is currently in Third Reader, awaiting final passage.

## ANALYSIS

Background: These parking lots will serve the building at 1020 West Pratt Street, which is currently being considered for rezoning to the IMU-1 District. If approved, that building will be redeveloped for a mix of uses that will need off-street parking.

Conditional Use: Per §5-406 {“Approval standards”} of Article 32 – *Zoning*:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

In this case, these vacant lots have not been used for any particular purpose. As a parking lot, the properties will be protected from deterioration and neglect, and will support an active building in the neighborhood. By supporting that renovation, the neighborhood benefits, since street parking will not be taken up its users and visitors. The proposed development is compatible with the Poppleton Urban Renewal Plan. The proposed plan as shown appears to meet the appropriate requirements for parking lots, but will need to be approved by the Site Plan Review Committee (SPRC).

Below is the staff’s review of §5-406(b) {“Required considerations”} of Article 32 – *Zoning*:

(b) *Required considerations.*

As a further guide to its decision on the facts of each case, the Board of Municipal and Zoning Appeals must consider the following, where appropriate:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property 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;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City’s Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

Staff finds that the proposed parking lots are appropriate for these sites, though they will need to be reviewed by the Site Plan Review Committee and will need to comply with the requirements of the Landscape Manual. As presented, the parking lots' design appears to meet these requirements. Traffic in the area will not be impacted, though parking in the neighborhood could be negatively impacted if these parking lots are not approved to support the renovation of 1020 West Pratt Street. These lots have been vacant, but if approved, will productively support the adjacent building. The proposed parking lot will not negatively impact the surrounding properties as continued vacant properties would. There are no expected impacts to any surrounding utilities, neighborhoods, community organizations, or other members of the community. There are no negative impacts to the principals of the City's Comprehensive Master Plan, or other requirements of the Zoning Code. For all of these reasons, staff recommends approval of these parking lots, subject to approval by the Site Plan Review Committee and that it will comply with the requirements of the Landscape Manual.

Notification: The Southwest Partnership and the Board of the Hollins Roundhouse have been notified of this action.



**Chris Ryer**  
**Director**

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CITY OF BALTIMORE

BRANDON M. SCOTT  
Mayor



DEPARTMENT OF LAW

JAMES L. SHEA  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

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February 16, 2021

The Honorable President and Members  
of the Baltimore City Council  
Attn: Natawna B. Austin, Executive Secretary  
Room 409, City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 21-0015 - Zoning – Conditional Use Parking Lots – 115 and 118  
Mount Clare Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0015 for form and legal sufficiency. The bill reauthorizes and continues the permission for, subject to certain conditions, the establishment, maintenance, and operation of parking lots on the properties known as 115 Mount Clare Street (Block 0251, Lot 068) and 118 Mount Clare Street (Block 0251, Lot 072). The bill provides for an immediate effective date.

This property is zoned R-8, which requires parking lots as a principal use to be approved by ordinance. City Code, Art. 32, Table 9-301. Under the City Code, approval of a conditional use must be based on a finding that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

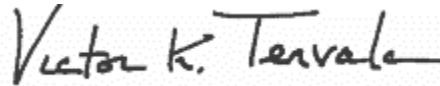
Art. 32, § 5-406(a). Moreover, the finding must be guided by 14 “considerations” involving such things as the “nature of the surrounding area and the extent to which the proposed use might impair its present and future development”: “the resulting traffic patterns and adequacy of proposed off-street parking”; etc. *See* Art. 32, § 5-406(b).

The Law Department notes that the Planning Commission’s Report (“Report”) provides facts sufficient to lawfully approve this bill.

Law Department further notes that a bill that would authorize a conditional use is classified as a “legislative authorization.” Art. 32, § 5-501. Legislative authorizations require that certain procedures be followed in the bill’s passage. Specifically, certain notice requirements apply to the bill. *See* Art 32, § 5-602. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* Art. 32, §§ 5-504, 5-506, 5-604. Finally, certain limitations on the City Council’s ability to amend the bill apply. *See* Art. 32 § 5-507.

In conclusion, if the City Council finds facts identical or similar to those established in the Report, the Law Department is prepared to approve the bill for form and legal sufficiency.

Sincerely,

A handwritten signature in black ink that reads "Victor K. Tervala". The signature is written in a cursive style with a horizontal line at the end.

Victor K. Tervala  
Chief Solicitor

cc: James L. Shea, City Solicitor  
Nina Themelis, Mayor’s Office of Government Relations  
Nikki Thompson, Director of Legislative Affairs  
Matthew Stegman, Director of Fiscal and Legislative Services  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Ashlea Brown, Assistant Solicitor



# TRANSMITTAL MEMO

TO: Council President Nick J. Mosby  
FROM: Peter Little, Executive Director  
Date: 01/21/21  
RE: City Council Bill 21-0015



I am herein reporting on City Council Bill 21-0015 introduced by Councilmember Bullock at the request of Innovation Alley, LLC.

The purpose of this bill is to permit the establishment, maintenance and operation of parking lots on the properties known as 115 Mount Clare Street and 118 Mount Clare Street.

The Parking Authority of Baltimore City (PABC) has reviewed the proposed legislation. The proposed lots comprise 23 total parking spaces, including two ADA-accessible spaces. Additionally, the site plan submitted to the city includes a loading zone at the corner of Lemmon Street and South Arlington Avenue. The site plan also exceeds the minimum access requirement that off-street lots provide access via an alley at least 10' wide. The lots have access points via Mount Clare and Lemmon streets, both of which are 12' wide.

It is the understanding of the PABC that the proposed lots will service the building at 1020 Pratt Street, which last year was rezoned from R-8 to IMU-1 to allow for use as an office.

PABC does not administer any on-street parking programs at the location of the request.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 21-0015.