

SIXTEENTH DAY

FIRST COUNCILMANIC YEAR - SESSION OF 2020-2024

JOURNAL
CITY COUNCIL OF BALTIMORE

August 16, 2021

Reverend Michael Hudson of the Gethsemane AME Church, led the Council in Prayer.

The President and members of the Council recited the Pledge of Allegiance to the Flag.

The City Council of Baltimore met pursuant to adjournment. Present: Nicholas J. Mosby, President, and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos

JOURNAL APPROVED

The Journal of July 19, 2021 was read and approved.

COMMUNICATIONS FROM MUNICIPAL AGENCIES

August 24, 2021

Honorable President and Members
of the Baltimore City Council
c/o Natawna Austin, Executive Secretary
Baltimore City Council
Room 400 – City Hall

Dear Honorable President and members of the Baltimore City Council:

In order to expedite the return of properties acquired through tax sale foreclosure to private ownership, Baltimore City Code Article 28 § 8-3 provides for the City Comptroller to sell properties acquired by tax sale at either private or public sale once certain criteria are met.

It is requested that the following properties be published in the City Council Journal as promptly as possible to allow the Department of Real Estate to proceed with disposition.

Councilmanic District 7

Descriptive Location:
3000 Walbrook Avenue
Block 3014, Lot 001

Councilmanic District 8

Descriptive Location:
Block 8415, Lot 060

Councilmanic District 9

Descriptive Location:
Block 2407, Lot 039
Block 2407, Lot 040
Block 2407, Lot 041
Block 2407, Lot 042

Councilmanic District 12

Descriptive Location:
508 E. 21st Street
Block 4019, Lot 005

In accordance with the provisions Article 28 § 8-3 of the Baltimore City Code, certification of the publication shall be submitted to the Comptroller thirty (30) days after such publication.

INTRODUCTION AND READ FIRST TIME

The President laid before the City Council the following bills and Resolutions of the Mayor and City Council for first reading:

Bill No. 21-0113 - By City Council President (Administration)

An Ordinance making needed changes to certain provisions that, during the course of actively operating under the new Zoning Code, were discovered to be functionally impractical or otherwise in need of modification to abate previously unanticipated consequences; specifying that certain applications under the Zoning Code be filed either with the Board of Municipal and

Zoning Appeals or the Zoning Administrator; extending certain time limits for the Board to act; authorizing the Zoning Administrator or the Board of Municipal and Zoning Appeals to deny an application under certain circumstances; modifying the outdoor seating specifications; authorizing certain reviews by the Site Plan Review Committee; authorizing that certain matters reviewed by the Site Plan Review Committee be approved by the Director of Planning; modifying certain off-street parking requirements; clarifying and establishing certain exceptions to bicycle parking design standards; establishing certain standards for long-term bicycle standards; establishing certain rules for certain circumstances involving signs; providing for measurement methodologies for building frontages; allowing electronic signs and painted/mural signs in residential districts, subject to conditional approval by the Board of Municipal and Zoning Appeals; specifying a time period after which the authorization for a conditional sign expires; specifying certain zoning district requirements; defining certain terms; correcting, clarifying, and conforming certain provisions; and generally relating to the zoning and land-use laws of the City of Baltimore.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 21-0114 - By Councilmembers Burnett, Bullock, Dorsey, Glover, Torrence, Porter, Cohen, Middleton, and Ramos

An Ordinance permitting a vacant building receiver to offer the property for sale to the Mayor and City Council of Baltimore City, if the property fails to sell at public auction; and providing certain limitations on the sale price.

The bill was read the first time and referred to the Rules and Legislative Oversight Committee.

Bill No. 21-0115 - By Councilmembers Bullock, Conway, Dorsey, Ramos, Middleton, Burnett, Porter, Cohen

An Ordinance granting a tax credit against the City personal property tax imposed on a dwelling that uses a solar energy device or geothermal energy device; imposing certain qualifications for credit eligibility; providing for the amount and administration of the credit; allowing for carry-over of the credit; requiring an annual report regarding the credit; and defining certain terms.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 21-0116 - By Councilmember Torrence

An Ordinance changing the zoning for the property known as Block 3518A, Lot 001, as outlined in red on the accompanying plat, from the TOD-2 Zoning District to the IMU-2 Zoning District.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 21-0117 - By Councilmembers Ramos, Dorsey

An Ordinance terminating peak hour parking restrictions (1) on the 100 through 800 blocks of East 33rd Street; (2) on the 2700 through 3600 blocks of Hillen Road; (3) on the 3300 through 3500 blocks of The Alameda; (4) on the 2500 through 3200 blocks of Lock Raven Boulevard; and (5) on the 2900 through 4300 blocks of Greenmount Avenue.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 21-0118 - By Councilmembers Costello, Stokes

An Ordinance approving the application of Downtown Partnership of Baltimore to designate an Area of Special Sign Control known as the North Harbor District; and providing for a special effective date.

The bill was read the first time and referred to the Ways and Means Committee.

Bill No. 21-0119 - By Councilmember Cohen

An Ordinance changing the zoning for the property known as 1201 S. Haven Street and a portion of Boston Street, as outlined in red on the accompanying plat, from the I-2 Zoning District to the C-3 Zoning District; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

Bill No. 21-0120 - By Councilmember Cohen

An Ordinance amending the Urban Renewal Plan to revise the boundary of the Plan to remove a certain property; replacing certain exhibits to reflect the change; waiving certain content and procedural requirements; making the provisions of this Ordinance severable; providing for the application of this Ordinance in conjunction with certain other ordinances; and providing for a special effective date.

The bill was read the first time and referred to the Economic and Community Development Committee.

The President laid before the City Council the following Council Resolutions for first reading:

Bill No. 21-0053R - Councilmembers Ramos, McCray, Middleton, Porter, Cohen, Glover, Stokes

A Resolution inviting Baltimore City Public School System students, the Chief Executive Office of the Baltimore City Public School System, and any relevant Baltimore City Public School System staff to discuss with the Council their ideas and concerns about public school lunches.

The Resolution was read the first time and referred to the Education, Workforce, and Youth Committee.

Bill No. 21-0054R - Councilmembers Ramos

Introduced August 16, 2021

(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Request for State Action – Extend Eviction Moratorium

FOR the purpose of calling on Governor Hogan and state leaders to extend the eviction moratorium and to require landlords to work with tenants to apply for rental assistance prior to filing eviction.

Recitals

According to the Mayor's Office of Children and Family Success (MOCFS), there were 28,000 families behind on their rent in Baltimore City as of March 2021, placing them at high risk for eviction. Many families have had difficulty finding work, with them or their loved ones at risk for COVID-19 and feel unsafe to work. Other families have had to stay home to support their children's education.

As of April 2021, MOCFS also reported they have helped only 4000 families with the state, federal and local Rental Assistance funding, spending over \$18 million. MOCFS has approximately \$19 million more to spend - although has allocated \$16million for United Way for the "landlord bundle" program for larger landlords. The City anticipates another \$24,330,727 in state funds and \$23,127,929 in federal funds to assist families.

This Baltimore City Council has taken action to assist renters in Baltimore. We recently passed legislation to ensure that no tenants are pushed out of the home because the lease has ended, for 180 days after the lifting of the State of Emergency. We passed legislation to ensure that late fees are not charged until 10 days after the rent is due for those with benefit checks. Last Council session, the Baltimore City Council passed legislation banning increasing rent and charging late fees during the COVID pandemic and 90 days after the lifting of the State of Emergency, and Right to Counsel in Eviction matters legislation which awaits funding.

Baltimore City is expecting substantial funding to assist our families but for many reasons rental assistance has been slow to reach households. Our City agencies are diligently working on building staff capacity, creating online portals, and conducting outreach to inform families and households about resources and assistance. The Baltimore City Council continues to look for ways to assist. For ultimate success, however, we need more time.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Baltimore City Council urges Governor Lawrence J. Hogan to extend Maryland's eviction moratorium to comply with the Center for Disease Control deadlines. We urge the Governor to require that landlords work with their tenants to apply for emergency rental assistance to resolve a claim of non-payment of rent prior to initiating an eviction action based on such claim; and to prohibit the state courts from entering judgment for possession in an action based on non-payment of rent when there is evidence shown that a pending rental assistance application and payment would resolve the landlord's claim.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Governor of Maryland, the President of the Maryland Senate, the Speaker of the Maryland House of Delegates, the Baltimore City Delegation to the General Assembly, the Mayor, the Baltimore City Council President, the City Council President's legislative staff, and the Mayor's Legislative Liaison to the City Council.

Councilmember Ramos made a motion that the Rules be suspended.

There being no objection, the President declared that the Rules were suspended.

Then Councilmember Ramos made a motion that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the Resolution "Adopted".

Bill No. 21-0055R - By Councilmembers Stokes, McCray, Bullock, Glover, Ramos, Porter, Cohen

A Resolution inviting the Baltimore City State's Attorney, the Police Commissioner of the Baltimore Police Department, the Director of the Mayor's Office of Neighborhood Safety and Engagement, representatives from the Law Department, and representatives from the Bureau of Budget and Management Research to come before the City Council to discuss the prevalence of gun violence in the city, and how the establishment of a dedicated gun court could serve to better track these cases, make outcomes of these gun crimes more consistent, and deter people from having illegal weapons.

The Resolution was read the first time and referred to the Public Safety and Government Operations Committee.

Bill No. 21-0056R - By Councilmembers Ramos, Middleton, Cohen, Porter, Burnett

A Resolution inviting representatives from the Department of Transportation, Department of Health, Baltimore City Public Schools, Mayor's Office of Children and Family Success and Office of Equity and Civil Rights to discuss our children's commute to school.

The Resolution was read the first time and referred to the Education, Workforce, and Youth Committee.

Bill No. 21-0057R - By Councilmembers Stokes, Bullock, Ramos

A Resolution inviting the CEO of the Baltimore City Public School System, representatives from the Baltimore City Board of School Commissioners, representatives from the Parent and Community Advisory Board, representatives from the Baltimore Teachers Union, and other relevant stakeholders to discuss how BCPSS plans to improve student performance during the 2021/2022 academic school year.

The Resolution was read the first time and referred to the Education, Workforce, and Youth Committee.

Bill No. 21-0058R - By Councilmember Cohen

Introduced August 16, 2021
(Read and adopted)

A COUNCIL RESOLUTION CONCERNING

Request for Federal Action – Pass the Anti-Digital Redlining Act of 2021

FOR the purpose of urging President Joseph R. Biden and the United States Congress to pass and enact the Anti-Digital Redlining Act of 2021 to establish the criteria to be used by the Federal Communications Commission (FCC) to identify and dismantle digital redlining. .

Recitals

WHEREAS, access to broadband Internet can no longer be treated as a private luxury reserved for the few but an essential utility such as electric, water and sewer;

WHEREAS, according to the Abell Foundation's April 2020 report "Baltimore's Digital Divide: Gaps in Internet Connectivity and the Impact on Low-income City Residents", more than 40% of households in Baltimore lack access to a home Internet connection;

WHEREAS, the same report found that while 73% of White households in Baltimore could get online at home, only 50% of Black households could;

WHEREAS, at the start of 2021, a Pew Research Center survey demonstrated the lack of affordable, accessible broadband can be seen in low-income communities across the country, with 43% of adults with lower incomes reporting not having home broadband services, compared to only 7% of adults in households earning \$100,000 or more a year;

WHEREAS, the same survey found 80% of White adults reported having access to home broadband services, compared to 71% and 65% for Black and Hispanic adults, respectively;

WHEREAS, in April 2020, the Pew Research Center found that 59% of U.S. parents with lower incomes whose children were remote learning said they faced one of three digital obstacles to their schooling: lack of reliable internet, no home computer, or the need to use a smartphone to complete coursework;

WHEREAS, the American Society of Law, Medicine, and Ethics (ASLME), found that approximately 24 million people in the United States live in "digital deserts" without broadband access, including approximately 19 million rural Americans and 1.4 million Americans living on Tribal lands;

WHEREAS, the COVID-19 pandemic has amplified inequities created by Digital Redlining in urban and rural areas across the country;

WHEREAS, Baltimore City has recognized the need to address Digital Redlining as a significant priority through the allocation of \$3,000,000 from the Children and Youth Fund in the Spring of 2020 to ensure students have learning-appropriate devices;

WHEREAS, Baltimore City has demonstrated a commitment to long-term solutions for connectivity and technology education through the appointment of the Director of Broadband and Digital Inclusion within the Mayor's Office;

WHEREAS, Baltimore's youth have demonstrated their leadership in organizing, proposing, and advocating for solutions to connectivity and digital literacy gaps on local, state, and national levels, showing a capacity to understand these challenges and respond to them using models established by Students Organizing a Multicultural and Open Society (SOMOS);

WHEREAS, the Baltimore community has actionably convened around issues related to the Digital Divide, with more than 60 organizations collaborating to form the Baltimore Digital Equity Coalition, informing funding, policy and service delivery decisions which have improved the lives of countless Baltimore residents;

WHEREAS, the pandemic has made abundantly clear the critical role high-quality internet plays in our everyday lives;

WHEREAS, the Anti-Digital Redlining Act allows the FCC to investigate discriminatory practices related to the provision of internet services based on income, race, color, religion, national origin, and other factors within a geographic area;

WHEREAS, the Anti-Digital Redlining Act provides the FCC with the enforcement authority to require interconnection and cooperation among multiple ISPs to provide service to areas that are identified as digitally redlined;

WHEREAS, the Anti-Digital Redlining Act will additionally prohibit ISPs from entering exclusive agreements with multi-dwelling units or landlords that would limit competition, consumer choice, or favor any particular provider;

WHEREAS, through the Anti-Digital Redlining Act, the FCC will also analyze the use of franchising agreements between telecommunications providers and municipal governments, and the FCC will produce an annual public report with the findings;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the City Council urges President Joseph R. Biden and the United States Congress to pass and enact the Anti-Digital Redlining Act of 2021 to eliminate discriminatory practices related to the provision of internet services and to create broadband equity.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the President of the United States, the Vice President of the United States, the Mayor, the Honorable members of the Maryland delegations to the United States Senate and the United States House of Representatives, and the Mayor's Legislative Liaison to the City Council.

Councilmember Cohen made a motion that the Rules be suspended.

There being no objection, the President declared that the Rules were suspended.

Then Councilmember Cohen made a motion that the Resolution be adopted.

The roll was called on the motion, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the Resolution "Adopted".

CONSENT CALENDAR

CEREMONIAL RESOLUTIONS NO. 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, AND 290 ADOPTED UNDER RULE 3-9.

The resolutions were read.

The roll was called on the adoption of the resolutions, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the resolutions adopted under Rule 3-9.

Ceremonial Resolutions will be found at the end of the Journal.

COMMITTEE REPORTS

**BILL NO. 21-0012 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0012 favorably.

An Ordinance changing the zoning for the property known as 1214-1220 Hull Street Block 1988B, Lot 019), as outlined in red on the accompanying plat, from the R-8 Zoning District to the O-R-1 Zoning District.

Finding of Facts

City Council Bill No: 21-0012

Rezoning - 1214-1220 Hull Street

Upon finding as follows with regard to:

(1) Population changes;

The 2020 Census data has not been released, however the Locust Point neighborhood has seen continued growth in both residential, commercial and office uses since the last Census. The rezoning reflects the trend to a mixed use community by recognizing the historic use of the building for offices.

(2) The availability of public facilities;

The area is well served with adequate public facilities with no projected upgrades needed in the immediate future

(3) Present and future transportation patterns;

Locust Point's existing transportation network has been upgraded with the addition of a Circulator providing an additional public transportation option for office workers. There are no changes anticipated in present or future transportation patterns in this area.

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

The rezoning would continue an existing office use that has been in the neighborhood without incident for over 35 years. In that time, a number of industrial buildings in the Locust Point neighborhood have been converted to high density mixed use developments such as Silo Point and McHenry Row or replaced with townhouse developments. The office uses street parking during the day when the on-street parking demand is minimal.

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

The Planning Commission voted, nine being present, eight in favor to recommend passage of the bill. The Board of Municipal Zoning Appeals defers to the Planning Commission. The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals (BMZA)	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	Favorable

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

The rezoning is consistent with the Plan's goal to retain existing businesses, in this case a long established engineering company, as well as encouraging mixed use neighborhoods. In addition, one goal of Transform Baltimore was to recognize existing land uses and minimize non-conforming uses that could jeopardize financing or reuse opportunities.

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

The immediate Locust Point neighborhood contains a diverse set of residential, commercial and industrial uses in a variety of zoning classifications. The proposed O-R zone will accurately reflect the actual use of the building.

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

The diverse uses stated above result in a mix of zoning classifications from I-1 and I-2, IMU, O-R, R-8, C-2 and OS along with several Planned Unit Developments. The proposed zoning classification is consistent with this pattern.

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

The original union hall was built as an office building and the adjacent building was formerly a grocery store. They have been combined since the late 1980's as one seamless office building.

- (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;

Locust Point has seen continued growth in residential, office and commercial uses in the last 20 years. The proposed rezoning reflects the existing land use consistent with that growth.

- (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:

- (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:

The Council failed to recognize the historic use of this property under Transform Baltimore and inadvertently created a non-conforming use contrary to one of the goals of Transform process.

Staff from the Department of Planning read the following Planning Commission resolution into the record:

RESOLVED, That the Planning Commission does not concur with the recommendation of its Departmental staff, and instead adopts the following findings, with consideration for testimony and facts presented in the meeting:

That a mistake was made in 2017 in continuing to place the subject properties in the R-8 Residential zone, as they were in fact totally occupied by non-residential uses, and had been so used and occupied since the 1980s;

That zoning the properties R-8 made them nonconforming uses, which was in opposition to one of the goals of the Transform Baltimore comprehensive rezoning process, which was to minimize creation of nonconforming uses; and,

That the proposed zoning of Office-Residential (OR-1) would have been, and is a more appropriate zoning district for the subject properties, and is most compatible with current use of the properties;

and Therefore,

Resolved, That the Planning Commission recommends that City Council Bill #21-0012 be passed by the City Council.

Source of Findings (Check all that apply):

Planning Report - Planning Commission, Agency Report, Dated March 12, 2021 which includes the Planning Department, Staff Report, Dated March 11, 2021

Testimony presented at the Committee hearing

Oral - Witness:

Martin French, Planning Department
Victor Tervalá, Law Department
Al Barry, Representative for the Applicant
Eric Costello, Councilmember

Written:

Planning Commission, Agency Report, Dated March 12, 2021 which includes the Department of Planning, Staff Report - Dated March 11, 2021
Department of Transportation, Agency Report - Dated February 18, 2021
Board of Municipal and Zoning Appeals, Agency Report - Dated July 15, 2021
Law Department, Agency Report - Dated July 14, 2021
Department of Housing and Community Development, Agency Report - Dated July 14, 2021
Baltimore Development Corporation, Agency Report - Dated February 11, 2021
Al Barry, Letter and Findings Attachment - Dated July 19, 2021

Committee Members Voting in Favor

Sharon Green Middleton, Chair
John Bullock
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0055 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0055 favorably, with amendments.

A Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a retail goods establishment (with alcoholic beverages sales) on the property known as 2600 North Howard Street, as outlined in red on the accompanying plat; and providing for a special effective date.

Findings of Fact

City Council Bill No. 21-0055

- (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:**

Establishment, location, maintenance and operation of a retail goods establishment with alcoholic beverages sales on a portion of the property known as 2600 North Howard Street would not be detrimental to or endanger public health, safety, or welfare.

- (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, and there is no Urban Renewal Plan covering the subject property.

This property is located in the Remington National Register Historic District and community. The Remington District was placed on the National Register of Historic Places on January 17, 2017. This property was rezoned from M-1 to C-2 during the comprehensive zoning process associated with adoption of the current Zoning Code which became effective on June 5, 2017. The Remington Plan was accepted by the Planning Commission in 2018, and includes this statement: “Welcome commercial uses of a variety of sizes and functions in the neighborhood, particularly those that encourage greater social interaction: The community will welcome conversions of old industrial and commercial sites to new uses that are compatible with the existing residential community.”

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

Use of a limited portion of the property for a retail goods establishment with alcoholic beverages sales would 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 authorization would be in harmony with the purpose and intent of the Zoning Code.

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;

Department of Planning staff finds that the site, including its size and shape, is appropriate for the proposed use.

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

There would be no change to traffic patterns if this use would be authorized.

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

The surrounding area is one in which the predominant residential type was originally single-family owner-occupancy rowhouses as well as some residential mixed-use "corner stores", while the predominant commercial type is scattered structures and serves primarily various sections of the Remington community. For this reason, it is unlikely that the proposed use would impair present or future development of the Remington or Charles Village communities.

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

There is reasonable proximity of dwellings and places of public gathering, and reasonable distance from churches and schools.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility 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;

There are adequate utilities, roads, drainage, and other necessary facilities.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use of a portion of the existing structure would not affect preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

Approval of the proposed use would not affect the existing character of the neighborhood, as the alcoholic beverages sales license is to be transferred from a location two blocks away in the Remington community.

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

The proposed use is consistent with the City's Comprehensive Master Plan.

- (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 meets all applicable standards and requirements of the Zoning Code.

- (13) the intent and purpose of this Code; and

Converting a retail goods establishment with no alcoholic beverages sales to a retail goods establishment with alcoholic beverages sales, with no enlargement of the existing structure on the property or of the area within the existing structure that is to be used for retail goods establishment with alcoholic beverages sales purposes, would not be inconsistent 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 May 14, 2021, which included the Department of Planning Staff Report, dated May 13, 2021.

[X] Testimony presented at the Committee hearing

Oral - Witness:

Martin French, Planning Department
Victor Tervalá, Law Department
Caroline Hecker, Representative for the Applicant

Written:

Planning Commission, Agency Report - Dated May 14, 2021 which included the Department of Planning Staff Report - Dated May 13, 2021
Department of Transportation, Agency Report - Dated June 17, 2021
Board of Municipal and Zoning Appeals, Agency Report - June 17, 2021
Law Department, Agency Report - Dated July 14, 2021
Department of Housing and Community Development, Agency Report - Dated July 14, 2021
Baltimore Development Corporation, Agency Report - Dated April 28, 2021
Parking Authority, Agency Report - Dated April 12, 2021
Baltimore Police Department, Agency Report - Dated July 12, 2021
Board of Liquor License Commissioners, Agency Report - Dated July 19, 2021
Fire Department, Agency Report - Dated April 5, 2021
Greater Remington Improvement Association - Dated March 24, 2021

Committee Members Voting in Favor

Sharon Green Middleton, Chair
John Bullock
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes

Findings of Fact adopted.

Committee Amendments to City Council Bill No. 21-0055

Amendment No. 1

On page 1, in line 3, before “2600”, insert “A Portion of”; and, on that same page, in line 5, after “on”, insert “a portion of”; and, on that same page, in line 6, after the comma, insert “in an area not to exceed 700 square feet of floor area,”; and, on that same page, in that same

line, strike “outlined in red” and substitute “shown in yellow”; and, on that same page, in that same line, strike “accompanying plat” and substitute “floor plan dated May 6, 2021, accompanying this Ordinance”; and, on that same page, in line 15, after “on”, insert “a portion of”; and, on that same page, in line 16, after the first comma, insert “in an area not to exceed 700 square feet of floor area,”; and, on that same page, in line 16, strike “outlined in red” and substitute “shown in yellow”; and, on that same page, in that same line, strike “plat” and substitute “floor plan dated May 6, 2021,”; and, on page 2, in lines 2, 4, and 5, in each instance, strike “plat” and substitute “floor plan dated May 6, 2021”.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 21-0063 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0063 favorably.

An Ordinance changing the zoning for the property known as 1201 Dundalk Avenue (Block 6738, Lot 036), as outlined in red on the accompanying plat, from the R-3 Zoning District to the C-2 Zoning District.

FINDINGS OF FACT

City Council Bill No: 21-0063

Upon finding as follows with regard to:

(1) Population changes;

There have not been significant population changes in the Graceland Park neighborhood in the interval between the adoption of the last comprehensive rezoning (2016) and the present time.

(2) The availability of public facilities;

This site is well-served by public services and utilities and will continue to be so for the foreseeable future

(3) Present and future transportation patterns;

There would be no positive or negative effect upon present or future transportation patterns in the area as a result of adoption of this bill as the existing use of the property is not expected to change as a result.

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

The proposed C-2 zoning district is compatible with the existing and proposed development for the area along the Dundalk Avenue corridor as it would match the C-2 zoning of abutting commercial use properties.

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

The Planning Commission voted, seven being present, seven in favor to recommend passage of the bill. The Board of Municipal Zoning Appeals defers to the Planning Commission. The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals (BMZA)	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable

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

The proposed action would not be in conflict to any of the goals contained in the Comprehensive Master Plan for Baltimore City, nor would it be in conflict with either of the area plans adopted for this part of the City. Rezoning of this property to the C-2 zoning district, as recommended by Department of Planning staff, would not be in conflict with the City's plan.

(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 low-density residential and commercial.

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

The proposed C-2 would be consistent with the abutting C-2 zoned commercial properties along Dundalk Avenue.

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

The current R-3 zoning designation has actually made the current funeral home non-conforming to the zoning code, and so a rezoning to the C-2 district would be more suitable.

- (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 not been significant changes to the immediate area of the subject property since it was placed in its current zoning classification.

- (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:

- (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:

This property was initially developed in 1948 as the Carlton Theater and was used a movie theater until 1988. In 1992 it was purchased by the Kaczorowski Funeral Home which continues operation there to this day.

Prior to the Transform Baltimore comprehensive rezoning, this property was zoned B-2-2 along with the other commercial use properties along Dundalk Avenue to the north. During Transform, however, it was rezoned to the R-3 district with the surrounding residential areas to the northeast, east, and southeast.

In 2012, what is now the parking lot was rezoned from the R-3 to the B-2-2 zoning district to allow for its improvement/expansion. While Department of Planning staff argued that the specific rezoning to expand the B-2-2 district was not justified based on the rezoning criteria, staff did also find that the B-2-2 zoning of the funeral home building

itself was "appropriate". Once the rezoning became effective all of the parcels were consolidated. It appears that during the Transform comprehensive rezoning process, for some reason the entirety of 1201 Dundalk Avenue was rezoned back to the R-3 zoning district. Based on staff's earlier position that the former commercial zoning of the building itself was suitable, it appears that the rezoning of the entire site to R-3 was a mistake as it has made both the use and the bulk/yard conditions nonconforming.

Source of Findings (Check all that apply):

Planning Report - Planning Commission, Agency Report, Dated May 13, 2021 which includes the Planning Department, Staff Report, Dated May 13, 2020

Testimony presented at the Committee hearing

Oral - Witness:

Matthew DeSantis, Planning Department

Victor Tervalo, Law Department

Nina Themelis, Office of the Mayor

Liam Davis, Department of Transportation

Luis Cardona, Baltimore Development Corporation

Camyn Bodden, Department of Housing and Community Development

Written:

Planning Commission, Agency Report, Dated May 13, 2021 which includes the Department of Planning, Staff Report - Dated May 13, 2021

Department of Transportation, Agency Report - Dated July 1, 2021

Board of Municipal and Zoning Appeals, Agency Report - Dated April 26, 2021

Law Department, Agency Report - Dated July 14, 2021

Department of Housing and Community Development, Agency Report - Dated July 14, 2021

Baltimore Development Corporation, Agency Report - Dated June 7, 2021

Committee Members Voting in Favor

Sharon Green Middleton, Chair

John Bullock

Mark Conway

Ryan Dorsey

Antonio Glover

Odette Ramos

Robert Stokes

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0064 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0064 favorably.

An Ordinance permitting, subject to certain conditions, the establishment, maintenance, and operation of a retail goods establishment (with alcoholic beverages sales) on the property known as 3901 Boston Street (also known as 3975 Boston Street), as outlined in red on the accompanying plat; and providing for a special effective date.

FINDINGS OF FACT

City Council Bill No. 21-0064

**Zoning - Conditional Use Retail Goods Establishment (With Alcoholic Beverages Sales) -
A Portion of 3901 Boston Street (Also Known as 3975 Boston 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:**

Establishment, location, maintenance and operation of a retail goods establishment with alcoholic beverages sales at 3901 Boston Street, and specifically on the portion of the property known as 3975 Boston Street, would not be detrimental to or endanger public health, safety, or welfare.

- (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, including the Urban Renewal Plan covering the subject property.

The Canton Industrial Area Urban Renewal Plan was originally approved by the Mayor and City Council by Ordinance no. 90-637 dated June 20, 1990, and was last amended by

Ordinance no. 19-282 dated August 19, 2019. The Urban Renewal Plan designates this site as Commercial

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

Use of a limited portion of the property for a retail goods establishment with alcoholic beverages sales would 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 authorization would be in harmony with the purpose and intent of the Zoning Code.

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;

Department of Planning staff finds that the site, including its size and shape, is appropriate for the proposed use.

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

There would be no change to traffic patterns if this use would be authorized.

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

The surrounding area is one in which the predominant land use is retail commercial serving the Canton community to its northwest and other, more distant, residential areas. For this reason, it is unlikely that the proposed use would impair present or future development of the Canton community or of the shopping district along this portion of Boston Street.

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

There is no proximity of dwellings and places of public gathering, and reasonable distance from churches and schools.

- (5) accessibility of the premises for emergency vehicles;

There is adequate accessibility 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;

There are adequate utilities, roads, drainage, and other necessary facilities.

- (8) the preservation of cultural and historic landmarks and structures;

The proposed use of a portion of the existing modern commercial structure would not affect preservation of cultural and historic landmarks and structures.

- (9) the character of the neighborhood;

Approval of the proposed use would not affect the existing character of the neighborhood, as the alcoholic beverages sales license is to be transferred from a similar commercial location two blocks away to the west.

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

The use is not inconsistent with the City's Comprehensive Master Plan.

- (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 meets all applicable standards and requirements of the Zoning Code.

- (13) the intent and purpose of this Code; and

Allowing a retail goods establishment with alcoholic beverages sales, with no enlargement of the existing structure on the property or of the existing area within the structure that would be used for the purpose of a retail goods establishment with alcoholic beverages sales, would not be inconsistent 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 May 14, 2021, which included the Department of Planning Staff Report, dated May 13, 2021.

[X] Testimony presented at the Committee hearing

Oral - Witness:

Martin French, Planning Department
Elena DiPietro, Law Department
Caroline Hecker, Representative for the Applicant

Written:

Planning Commission, Agency Report - Dated May 14, 2021 which includes the Department of Planning, Staff Report - Dated May 13, 2021
Department of Transportation, Agency Report - Dated July 1, 2021
Board of Municipal and Zoning Appeals, Agency Report - April 26, 2021
Law Department, Agency Report - Dated July 14, 2021
Department of Housing and Community Development, Agency Report - Dated July 14, 2021
Baltimore Development Corporation, Agency Report - Dated June 7, 2021
Canton Community Association, Letter - Dated March 30, 2021

Committee Members Voting in Favor

Sharon Green Middleton, Chair
John Bullock
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0065 REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0065 favorably.

An Ordinance changing the zoning for the property known as 1103-1109 North Washington Street (Block 1551, Lot 001), as outlined in red on the accompanying plat, from the R-8 Zoning District to the IMU-1 Zoning District.

FINDINGS OF FACT

City Council Bill No: 21-0065

Rezoning - 1103-1109 North Washington Street

Upon finding as follows with regard to:

(1) Population changes;

While anecdotally there have been a significant number of new residential units and renovated homes completed in the Middle East / Eager Park neighborhood over the past several years, it is unclear if there is data as of yet that indicates a significant population change in the interval between the adoption of the last comprehensive rezoning (2016) and the present time.

(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 support the current light industrial use on site and additional neighborhood-appropriate uses such as dwellings and retail.

(5) The recommendations of the City agencies and officials, including the Baltimore City

Planning Commission and the Board of Municipal and Zoning Appeals;

The Planning Commission voted, seven being present, seven in favor to recommend passage of the bill. The Board of Municipal Zoning Appeals defers to the Planning Commission. The City agencies to which the bill was referred made the following recommendations:

Planning Commission	Favorable
Board of Municipal and Zoning Appeals (BMZA)	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable
Department of Housing and Community Development	Favorable
Baltimore Development Corporation	Favorable
Parking Authority for Baltimore City	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 goals contained in the Comprehensive Master Plan for Baltimore City. Additionally, it is not in conflict with any other area plans that pertain to this property.

(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, institutional, and commercial.

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

IMU-1 zoning would be compatible with the adjacent R-8, R-10, and I-2 zoning designations. Additionally, there are extant IMU-1 zoning districts just to the east and south of the subject property.

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

The current R-8 zoning designation has made the long-existing light industrial use of the property non-conforming. It would also make redevelopment of the site that preserves the historic building more challenging. These facts suggest 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 not been significant changes to the immediate area of the subject property since it was rezoned to R-8 in 2016 that have added additional residents to the area. Additional residential and commercial development is currently proposed for the area. The IMU-1 zoning designation is appropriate in that it attempts to blend buildings with historic industrial uses into contemporary residential neighborhoods.

- (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:

- (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:

According to the property owner, this building has been in use for light industrial purposes continuously since 1875. The owner additionally purports in the Statement of Intent submitted for this bill that the City mistakenly rezoned this property to the R-8 district even though it's long history has been dedicated to industrial uses.

Prior to the adoption of the Transform Baltimore comprehensive rezoning the subject parcel had a zoning designation of M-1-2, which was similar to today's I-1 zoning district. This zoning designation was shared by the majority of properties adjacent to the railroad right-of-way beginning from this property and heading towards the east. For some reason, the majority of these nearby properties with similar industrial histories along the railroad right-of-way corridor were rezoned to the IMU-1 district during Transform Baltimore, but this subject property was not.

The fact that the subject site has had a documented history dating back to least 1901 (and according to the owner, to 1875) to the current day of continuous industrial use, coupled with the additional fact that before its current R-8 zoning it had an industrial M-1-2 zoning designation, suggest that the current R-8 zoning district was selected in error. Zoning designations are not required to always be descriptive but rather may be

proscriptive (especially in the case of a comprehensive rezoning), either as an attempt to reflect changing trends in an area or as way to encourage certain kinds of reuse. While the area around this site has seen and will continue to see a large amount of residential and commercial redevelopment, it is difficult to see how a proscriptive rezoning of this parcels to the R-8 district is appropriate given that it renders the long-existing light industrial use non-conforming and would pose challenges to any future reuse of the extant historic building. In fact, the IMU-1 zoning district was created for a site with just these characteristics, in that it would continue to permit by-right light industrial uses and encourage/enable additional neighborhood-appropriate uses such as dwellings or limited commercial/retail uses.

It is possible that during the analysis period of Transform Baltimore it was not apparent that the building was still in use, but mistakenly assumed that the structure was vacant. This might have led to a conclusion that including this site in the larger surrounding R-8 district would be an appropriate way to foster future redevelopment of the area.

Source of Findings (Check all that apply):

- [X] Planning Report - Planning Commission, Agency Report, Dated May 14, 2021 which includes the Planning Department, Staff Report, Dated September 10, 2020
- [X] Testimony presented at the Committee hearing

Oral - Witness:

Matthew DeSantis, Planning Department
Elena DiPietro, Law Department
Nina Themelis, Office of the Mayor
Camryn Bodden, Department of Housing and Community Development
Liam Davis, Department of Transportation
Mica Fetz, Baltimore Development Corporation
Arco Sen, Parking Authority of Baltimore City

Written:

Planning Commission, Agency Report, Dated May 14, 2021 which includes the Department of Planning, Staff Report - Dated September 10, 2020
Department of Transportation, Agency Report - Dated July 1, 2021
Board of Municipal and Zoning Appeals, Agency Report - Dated April 26, 2021
Law Department, Agency Report - Dated July 14, 2021
Department of Housing and Community Development, Agency Report - Dated July 14, 2021
Baltimore Development Corporation, Agency Report - Dated June 10, 2021
Parking Authority of Baltimore City, Agency Report - Dated May 7, 2021

Committee Members Voting in Favor

Sharon Green Middleton, Chair
John Bullock
Mark Conway
Ryan Dorsey
Antonio Glover
Odette Ramos
Robert Stokes

Findings of Fact adopted.

Favorable report adopted.

The bill was read the second time and ordered printed for third reading.

**BILL NO. 21-0042R REPORTED FAVORABLY
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Middleton, for the Economic and Community Development Committee, reported Bill No. 21-0042R favorably.

A COUNCIL RESOLUTION CONCERNING

**Approval for the Exchange of a Class B-D-7 License to a
Class A-7 License – 3901 Boston Street
(also known as 3975 Boston Street)**

FOR the purpose of providing the required approval under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1) to allow the license holder holding a valid Class B-D-7 Beer, Wine, and Liquor License issued for use at 3501 Boston Street (also known as 3831 Boston Street), Baltimore, Maryland 21224 to apply to the Board of Liquor License Commissioners for Baltimore City to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License for use at 3901 Boston Street (also known as 3975 Boston Street), Baltimore, Maryland 21224.

Recitals

Under Md. Code Ann., Alc. Bev. § 12-902.1(d)(1), a City Council resolution is required to allow a current holder of a valid Class B-D-7 Beer, Wine, and Liquor License issued on or before July 1, 2018, to apply to the Board of Liquor License Commissioners for Baltimore City (the “Board”) to exchange their Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License.

The Class A-7 License authorizes the license holder to sell beer, wine, and liquor at retail at the place described in the license for off-premise consumption. The holder of a Class A-7 License may sell beer, wine, and liquor on Monday through Sunday from 10:00 a.m. to midnight.

The license holder wishes to apply to the Board to exchange the Class B-D-7 License issued for use at 3501 Boston Street (also known as 3831 Boston Street), Baltimore, Maryland 21224 for a Class A-7 License for use at 3901 Boston Street (also known as 3975 Boston Street), Baltimore, Maryland 21224. Accordingly, representatives of the license holder have applied to the Baltimore City Council for approval of the exchange.

Now, Therefore, Be it resolved by the City Council of Baltimore, That the City Council authorizes, by and through this resolution, that the current holder of a Class B-D-7 Beer, Wine, and Liquor License located at 3501 Boston Street (also known as 3831 Boston Street), Baltimore, Maryland 21224, may apply to the Board of Liquor License Commissioners for Baltimore City (the "Board") to exchange its Class B-D-7 Beer, Wine, and Liquor License for a Class A-7 Beer, Wine, and Liquor License for use at 3901 Boston Street (also known as 3975 Boston Street), Baltimore, Maryland 21224 and may be afforded all the privileges and responsibilities of that license class and type under the Alcoholic Beverages Article for the State of Maryland.

And be it further resolved, That a copy of this Resolution be sent to the Executive Secretary of the Board of Liquor License Commissioners for Baltimore City.

Favorable report adopted.

The resolution was read the second time and ordered printed for third reading.

Councilmember Schleifer, for the Rules and Legislative Oversight Committee, made a motion, which was duly seconded, that the favorable report of the Rules and Legislative Oversight Committee be adopted.

The Appointment of

JIM CAMPBELL, MSW

Member

BOARD:

Commission on the Aging and Retirement
Education - District 14

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Jim Campbell, MSW be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Jim Campbell, MSW.

The Appointment of

BARBARA “REBA” CORNMAN	Member
BOARD:	Commission on the Aging and Retirement Education - District 14
EXPIRATION OF TERM:	December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Barbara “Reba” Cornman be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Barbara “Reba” Cornman.

The Appointment of

THOMAS K.M. CUDJOE, MD, MPH	Member
BOARD:	Commission on the Aging and Retirement Education - District 7
EXPIRATION OF TERM:	December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Thomas K.M. Cudjoe, MD, MPH be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Thomas K.M. Cudjoe, MD, MPH.

The Appointment of

MONTE EPHRAIM, LCSW-C

Member

BOARD:

Commission on the Aging and Retirement Education - District 5

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Monte Ephraim, LCSW-C be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Monte Ephraim, LCSW-C.

The Appointment of

SUSAN FRANCIS

Member

BOARD:

Commission on the Aging and Retirement Education - District 3

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Susan Francis be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Susan Francis.

The Appointment of

W. DANIEL HALE, PH.D.

Member

BOARD:

Commission on the Aging and Retirement Education - District 1

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of W. Daniel Hale, Ph.D, be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of W. Daniel Hale, Ph.D.

The Appointment of

ELIZABETH FRANCES JOHNSON

Member

BOARD:

Commission on the Aging and Retirement
Education - District 4

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Elizabeth Frances Johnson be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Elizabeth Frances Johnson.

The Appointment of

SONJA MERCHANT-JONES

Member

BOARD:

Commission on the Aging and Retirement
Education - District 14

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of

Sonja Merchant-Jones be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Sonja Merchant-Jones.

The Appointment of

REVEREND BRIAN EDWARD MURRAY

Member

BOARD:

Commission on the Aging and Retirement Education - District 14

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Reverend Brian Edward Murray be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Reverend Brian Edward Murray.

The Appointment of

JENNY PENA DIAS-HAYES, PH.D., MPH

Member

BOARD:

Commission on the Aging and Retirement Education - District 7

EXPIRATION OF TERM: December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Jenny Pena Dias-Hayes, Ph.D, MPH, be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Jenny Pena Dias-Hayes, Ph.D, MPH.

The Appointment of

SARAH SZANTON, PH.D., ANP, FAAN Member

BOARD: Commission on the Aging and Retirement Education - District 3

EXPIRATION OF TERM: December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Sarah Szanton, Ph.D, ANP, FAAN be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Sarah Szanton, Ph.D, ANP, FAAN.

The Appointment of

RAY KELLY Member
BOARD: Local Control Advisory Board - District 7
EXPIRATION OF TERM: December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Ray Kelly be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Ray Kelly.

The Appointment of

TRE MURPHY Member
BOARD: Local Control Advisory Board - District 2
EXPIRATION OF TERM: December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Tre Murphy be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Tre Murphy.

The Appointment of

ASHIAH PARKER, MLA

Member

BOARD:

Local Control Advisory Board - District 9

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Ashiah Parker, MLA, be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Ashiah Parker, MLA.

The Appointment of

LYDIA WALTHER-RODRIGUEZ

Member

BOARD:

Local Control Advisory Board - District 2

EXPIRATION OF TERM:

December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Lydia Walther-Rodriguez be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Lydia Walther-Rodriguez.

The Appointment of

MARK WASHINGTON	Member
BOARD:	Local Control Advisory Board - District 14
EXPIRATION OF TERM:	December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Mark Washington be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Mark Washington.

The Appointment of

CAYLIN YOUNG, ESQ.	Member
BOARD:	Local Control Advisory Board - District 3
EXPIRATION OF TERM:	December 3, 2024

The motion prevailed.

The President declared the favorable report adopted.

Councilmember Schleifer made a motion, which was duly seconded, that the appointment of Caylin Young, Esq., be confirmed.

The roll was called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The President declared the appointment of Caylin Young, Esq.

**BILL NO. 21-0096 REPORTED FAVORABLY, WITH AMENDMENTS,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Schleifer, for the Rules and Legislative Oversight Committee, reported Bill No. 21-0096 favorably, with amendments.

An Ordinance adopting a provision of the International Building Code exempting certain one story detached accessory structures used as tool and storage sheds, playhouses and similar uses from construction permitting requirements; and conforming related provisions.

Committee Amendments to City Council Bill No. 21-0096

Amendment No. 1

On page 2, in line 6, after "IBC" , insert "AND SUBJECT TO ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS".

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

**BILL NO. 21-0024R REPORTED FAVORABLY, AMENDED,
AND ORDERED PRINTED FOR THIRD READING**

Councilmember Costello, for the Ways and Means Committee, reported Bill No. 21-0024R favorably.

A COUNCIL RESOLUTION concerning

Informational Hearing – Baltimore City Tax Sale

FOR the purpose of inviting the Baltimore City Department of Finance, the Baltimore City Department of Housing and Community Development, the Comptroller, Baltimore City Information Technology, the Law Department, the Maryland Volunteer Lawyers Service and other relevant parties to provide information and complete details and timeline, and amounts of liens owed, disaggregated where appropriate by demographics, ages, owner-occupied versus non-owner-occupied, and number of residents who have owned their property for more than 25 years in tax sale this year; in addition, discussing the City’s powers related to the state, programs already in place to assist homeowners in tax sale, possible reforms, an update on implementation of the *In Rem* process for vacant and abandoned properties, and any other relevant information of interest to the Baltimore City Council.

Councilmember Costello made a motion, which was seconded, to adopt the Committee Amendments to the resolution.

Committee Amendments to City Council Bill No. 21-0024R

Amendment No. 1

On page 1, in line 5, strike “the Maryland Volunteer Lawyers Service”; and, on page 2, in line 12, strike “the Maryland Volunteer Lawyers Service”; and, on that same page, in line 22, strike the second comma down through and including “Service” in line 23.

The amendments were read and adopted.

Favorable report, as amended, adopted.

The bill, as amended, was read the second time and ordered printed for third reading.

THIRD READING

The President laid before the City Council:

BILL NO. 21-0039 - An Ordinance requiring certain contractors to create and submit to ~~the Director of the Department of Finance~~ MOED initial employment plans to bid on government-assisted construction projects or contracts that receive government assistance totaling \$5 million or more; requiring the Director of the Department of Finance to score the bids using the Director’s evaluation of the employment plan as 10% of a bidder’s score; requiring the winning bidder to submit a revised employment plan to the ~~Director of the Department of Finance~~ MOED with certain criteria; and conforming related provisions.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 21-0051 - An Ordinance changing the zoning for the property known as 4900 Boston Street (Block 6820, Lot 55), as outlined in red on the accompanying plat, from the I-2 Zoning District to the IMU-2 Zoning District; and providing for a special effective date.

Councilmember Middleton made a motion, which was duly seconded, that the bill be postponed to a time certain.

There being no objection, the President declared the bill to be postponed until the next City Council meeting on Monday, September 20, 2021.

The President laid before the City Council:

BILL NO. 21-0052 - An Ordinance changing the zoning for the property known as Block 6458, Lot 004 and Block PSC0, Lot 085, as outlined in red on the accompanying plat, from the I-2 Zoning District to the R-8 Zoning District.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 21-0078 - An Ordinance requiring certain disclosures in order to sell a property

that was ~~formerly~~ issued a vacant building notice; and providing for certain penalties.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

The President laid before the City Council:

BILL NO. 21-0085 - An Ordinance requiring that certain multiple-line telephone systems allow for the direct dial of 9-1-1; defining certain terms; authorizing certain inspections; providing for certain fines; and generally relating to access to the City's 9-1-1 emergency system.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

BILL NO. 21-0086 - An Ordinance postponing, for an interim period, the automatic termination of the Minority and Women's Business Program; providing for a special effective date; and generally relating to City procurement requirements.

It was read the third time.

The bill being on its final passage, the yeas and nays were called, resulting as follows:

Yeas - President and Councilmembers Cohen, McCray, Dorsey, Conway, Schleifer, Middleton, Torrence, Burnett, Bullock, Porter, Costello, Stokes, Glover, Ramos - Total 15.

Nays - 0.

The bill was read and approved, and the bill was declared "Passed".

**MOTION TO SUSPEND CITY COUNCIL RULE 10-3
WITH REGARD TO BILL NO. 21-0018**

Councilmember Costello made a motion, duly seconded, to suspend Rule 10-3 in order to have an early hearing on Bill No. 21-0018.

The motion carried without exception, and the President declared the rule suspended with regard to the bill. Then Councilmember Costello announced a hearing date for the bill.

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3
WITH REGARD TO BILL NO. 21-0047R**

Councilmember Conway made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 21-0047R.

The motion carried without exception, and the President declared the rule suspended with regard to the bill. Then Councilmember Conway announced a hearing date for the bill.

**MOTION TO SUSPEND CITY COUNCIL RULES 10-2 AND 10-3
WITH REGARD TO BILL NO. 21-0057R**

Councilmember Stokes made a motion, duly seconded, to suspend Rules 10-2 and 10-3 in order to have an early hearing on Bill No. 21-0057R.

The motion carried without exception, and the President declared the rule suspended with regard to the bill. Then Councilmember Stokes announced a hearing date for the bill.

ADJOURNMENT

On motion of Councilmember Middleton, duly seconded, the City Council adjourned to meet on Monday, September 13, 2021, at 5:00 p.m.

Consent Calendar

CR 264 President Mosby, All Members

A City Council Resolution congratulating Ronald Simpson on your retirement on August 31, 2021 after 24 years of service to the City of Baltimore.

CR 265 President Mosby, All Members

A City Council Resolution congratulating John McLaughlin on your retirement on August 31, 2021 after 33 years of service to the City of Baltimore.

CR 266 President Mosby, All Members

A City Council Resolution congratulating Tony Johnson on your retirement from the Department of Public Works, Bureau of Solid Waste after over 30 years of dedicated service to the City of Baltimore.

CR 267 President Mosby, All Members

A City Council Resolution congratulating Thedora Moore on your retirement after 40 years of providing daycare for hundreds of children in Baltimore City, she was also the care provider for her grandmother, mother-in-law, mother, great aunt and brother-in-law.

CR 268 President Mosby, All Members

A City Council Resolution congratulating Muriel Rich on your retirement after 38 years of outstanding service and serving as the Chief of Inner Harbor Marine Operations to the City of Baltimore.

CR 269 President Mosby, All Members

A City Council Resolution congratulating Word of Life Christian Community Church on celebrating your 10-year Anniversary of faith, fellowship and Christian Community.

CR 270 President Mosby, All Members

A City Council Resolution congratulating Biking Beauties on its commitment and dedication to the community by organizing bike rides that focus on health and overall well-being for the residents of Baltimore City.

CR 271 President Mosby, All Members

A City Council Resolution congratulating Regina Shields on your retirement from the Department of Public Works Bureau of Water and Wastewater after 36 and a half years of dedicated service to the City of Baltimore.

CR 272 Bullock

A City Council Resolution congratulating Sparkie and The Tones of Joy on your Ministering through song for 32 years.

CR 273 President Mosby, All Members

A City Council Resolution on the death of Joseph Lee James, July, 2, 1951 - July 27, 2021.

- CR 274 Vice President Middleton**
A City Council Resolution to the Family of Delores "Peach" Johnson, August 30, 1948 - July 21, 2021.
- CR 275 President Mosby, All Members**
A City Council Resolution on the death of Angela Cunningham, April 14, 1961 - July 26, 2021.
- CR 276 President Mosby, All Members**
A City Council Resolution congratulating Mother Mary Lange Catholic School - Ribbon Cutting on the opening of the First New Archdiocesan Elementary School in Baltimore City in over 50 years.
- CR 277 President Mosby, All Members**
A City Council Resolution congratulating Project Pneuma of its continued work and dedication in mentoring young med and exposing them to endless possibilities.
- CR 278 President Mosby, All Members**
A City Council Resolution congratulating Tye Bailey on the opening of your Beauty School and Investment into the Community.
- CR 279 President Mosby, All Members**
A City Council Resolution on the death of Reverend Bertha Delores Johnson, March 9, 1924 - July 31, 2021.
- CR 280 President Mosby, All Members**
A City Council Resolution on the death of Rebecca Rice, November 15, 1927 - August 3, 2021.
- CR 281 President Mosby, All Members**
A City Council Resolution on the death of Bishop Douglas Irving Miles, April 10, 1949 - August 3, 2021.
- CR 282 President Mosby, All Members**
A City Council Resolution on the death of William Bailey Henry, I, August 29, 1941 - April 19, 2020.
- CR 283 President Mosby, All Members**
A City Council Resolution congratulating The Avenue Bakery on your 10th Anniversary and commitment to maintaining the history, culture, and pride of Baltimore's Historic Pennsylvania Avenue Community.
- CR 284 President Mosby, All Members**
A City Council Resolution congratulating Evelyn Brooks on your 100th Birthday on August 12, 2021.
- CR 285 President Mosby, All Members**
A City Council Resolution congratulating Benny Williams on your dedication to ending violence in the City of Baltimore and tireless work with Safe Streets - Cherry Hill.

CR 286 President Mosby, All Members

A City Council Resolution congratulating Brenton Flickinger on your service at the Baltimore Department of Planning as a City Planner.

CR 287 President Mosby, All Members

A City Council Resolution congratulating Let's Go Boys and Girls on your work and equal access to STEM education and to the youth of Baltimore.

CR 288 President Mosby, All Members

A City Council Resolution congratulating Govans Branch, Enoch Pratt Free Library on your 100 years of service to the North Baltimore Community.

CR 289 President Mosby, All Members

A City Council Resolution on the death of Deaconess Delores G. Scott, May 23, 1930 - July 31, 2021.

CR 290 President Mosby, All Members

A City Council Resolution congratulating St. Mary's Trash Bashers on five years of "Bashing Trash" on York Road.