

Peters, Matthew (City Council)

From: Williams, Justin <JWilliams@rosenbergmartin.com>
Sent: Monday, May 11, 2020 12:30 PM
To: Reisinger, Edward
Cc: Bradley, Joshua; Peters, Matthew
Subject: CCB # 20-508 - Rezoning of 5401 Pulaski Highway - Letter of Opposition
Attachments: Executed Letter to Land Use Committee Opposing CCB #20-508 - 5.11.20 1.pdf

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Hi Councilman Reisinger,

Hope you and your family are doing okay during these times. I'm representing the owner of the property that directly abuts 5401 Pulaski Highway, which is the subject of rezoning legislation that has been assigned to the City Council Land Use Committee. I do not think it has been set in for a hearing yet.

The Planning Commission hearing was a few weeks ago and the Property was not posted due to the closure of non-essential businesses. As a result, my client only *just* found out about the legislation. We will be reaching out to the Applicant to discuss the intent/potential impact, but to cover ourselves in the event that notice of the Land Use Committee hearing is not provided due to the pandemic, I have prepared the attached letter for the Committee's review noting my client's opposition to the legislation—at this time. After having an opportunity to review and discuss the legislation more fully, my client may opt to drop their opposition.

If the Committee or Mr. Peters maintains a list of interested parties for the bill, I'd appreciate being added so that we can ensure we receive notice of the hearing.

Thanks,

Justin

Justin Williams

Rosenberg Martin Greenberg, LLP
25 South Charles Street, 21st Floor
Baltimore, Maryland 21201
(410) 727-6600
(410) 727-1115 Fax





May 11, 2020

**VIA HAND DELIVERY
AND ELECTRONIC MAIL**

The Honorable Edward Reisinger
Chair, Land Use Committee of the
Baltimore City Council
City Hall, Suite 500
100 North Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill #20-508: Rezoning—5401 Pulaski Highway
Assigned to: Land Use Committee

Dear Councilmember Reisinger:

This firm represents 5501 Pulaski, LLC, the owner of 5501 Pulaski Highway, which abuts the property that is the subject of the above-referenced rezoning legislation: 5401 Pulaski Highway (the “Subject Property”). On behalf of our client, and as explained in more detail below, I write to inform the Committee that our client opposes the legislation at this time; however, our client may drop its objection after having an opportunity to fully review the impact the rezoning will have on its property.

For the Committee’s background, despite abutting the Subject Property, our client only just recently learned the Planning Commission held a hearing on the bill on April 16, 2020. A review of the Planning Commission’s Staff Report on the bill indicates that this is because the Subject Property was not posted per normal Planning Commission requirements due to the pandemic, and it appears the Applicant did not provide them with notice via alternative methods. As a result of not receiving notice, we have not yet had an opportunity to fully evaluate the impact of the rezoning on 5501 Pulaski Highway.

It does not appear that a Land Use Committee hearing has been scheduled on this bill, but in an abundance of caution in case the Committee’s hearing notice requirements are also waived and our client does not receive notice of the Land Use Committee hearing, I request the Committee note its opposition on the same basis that the Planning Department Staff recommended disapproval of the legislation: there does not appear to have been a change in the character of the neighborhood, and the current I-1 zoning of the Subject Property was not reflective of a mistake.

The Honorable Edward Reisinger

May 11, 2020

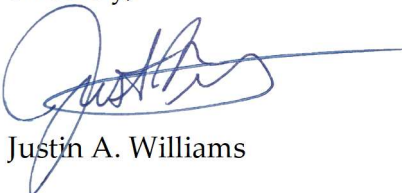
Page 2

Compared to the Subject Property, the argument that there was a mistake in the Transform Baltimore zoning is much stronger for our client's property. While both 5501 Pulaski Highway and the Subject Property are currently zoned I-1 (light industrial), the Subject Property was zoned industrially (M-2-1) prior to Transform Baltimore. By contrast, 5501 Pulaski Highway was rezoned by the City Council in 2016 to a commercial zoning designation (B-2-3) via Ordinance # 16-573, which was enacted November 18, 2016. So it appears to have been a clear mistake to rezone 5501 Pulaski Highway to a light industrial zoning map designation when Transform Baltimore was enacted just a few weeks later on December 5, 2016.

Additionally, if the Subject Property is rezoned pursuant to this legislation, it will not only have an impact on 5501 Pulaski Highway because of the heavy commercial uses that would be permitted to be conducted directly next door by right, the rezoning will impact 5501 Pulaski, LLC's ability to request a rezoning in the future. One of the standards the Committee must consider in the context of reviewing a request for rezoning is "the zoning classification of other property within the general area of the property in question." § 5-508(b)(3)(ii). A rezoning of the Subject Property will obviously change the zoning classification of other property in the general area of 5501 Pulaski Highway.

For these reasons, our client is opposed to City Council Bill #20-508 at least until it has an opportunity to assess the extent of what the impact will be from the uses permitted to be conducted next door as well as its own potential ability to request a rezoning in the future.

Sincerely,



Justin A. Williams

JAW

cc: Mr. Matthew Peters, Land Use Committee (via email)
5501 Pulaski, LLC (via email)
Joshua D. Bradley, Esq. (via email)
Christopher DeCarlo, Esq. (via email)

Peters, Matthew (City Council)

From: Christopher DeCarlo <cdecarlo@talkin-oh.com>
Sent: Tuesday, October 20, 2020 4:01 PM
To: Peters, Matthew (City Council)
Cc: Kelly Wagner
Subject: RE: Public Notice Instructions for Hearing on Bill 20-0508
Attachments: CB-20-508 - Support Letters.pdf; Beautification Sketch .pdf

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Per our telephone conversation, attached are the supporting documents for the hearing before the land use subcommittee next week.

Christopher M. DeCarlo
Talkin & Oh, LLP
5100 Dorsey Hall Drive
Ellicott City, Maryland 21042-7870
[410-964-0300](tel:410-964-0300) (phone)
[410-964-2008](tel:410-964-2008) (fax)

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From: Christopher DeCarlo
Sent: Tuesday, October 20, 2020 3:15 PM
To: 'Peters, Matthew (City Council)' <Matthew.Peters@baltimorecity.gov>
Cc: Kelly Wagner <kwagner@talkin-oh.com>
Subject: RE: Public Notice Instructions for Hearing on Bill 20-0508

Good afternoon Mr. Peters,

I have a question regarding the hearing next week. I have some signed petitions from area residents and an illustrative drawing of the subject property's intended beautification if they receive approval. Should I provide these to the subcommittee in advance? The same documents were provided to the Planning Commission in advance of that hearing.

Thanks,

Christopher M. DeCarlo
Talkin & Oh, LLP
5100 Dorsey Hall Drive

Ellicott City, Maryland 21042-7870

410-964-0300 (phone)

410-964-2008 (fax)

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From: Christopher DeCarlo

Sent: Tuesday, September 22, 2020 12:57 PM

To: Peters, Matthew (City Council) <Matthew.Peters@baltimorecity.gov>

Cc: Kelly Wagner <kwagner@talkin-oh.com>

Subject: RE: Public Notice Instructions for Hearing on Bill 20-0508

Thank you Matt. We will make sure we comply with the applicable deadlines.

Best,

Chris

Christopher M. DeCarlo

Talkin & Oh, LLP

5100 Dorsey Hall Drive

Ellicott City, Maryland 21042-7870

410-964-0300 (phone)

410-964-2008 (fax)

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From: Peters, Matthew (City Council) <Matthew.Peters@baltimorecity.gov>

Sent: Tuesday, September 22, 2020 11:24 AM

To: Christopher DeCarlo <cdecarlo@talkin-oh.com>

Cc: Kelly Wagner <kwagner@talkin-oh.com>

Subject: Public Notice Instructions for Hearing on Bill 20-0508

Dear Mr. DeCarlo:

The Baltimore City Council Land Use Committee will hold a hearing on bill 20-0508 (Rezoning - 5401 Pulaski Highway) on **October 28, 2020 at 1:00 PM.**

Attached is the information you will need to post, publish, and mail public notice for the hearing. I have also attached a contact list for sign makers, newspaper contacts, and sample certifications of posting and mailing.

Please note that the hearing will be cancelled if the applicant fails to provide the required public notice by the following deadlines:

Sign Posting Deadline:	September 28, 2020
Newspaper Ad Deadline:	October 13, 2020
Written Notice Deadline:	October 13, 2020
Certification Deadline:	October 24, 2020

Please confirm receipt of this email and feel free to contact me if you have any questions.

Sincerely,

Matt Peters



OFFICE OF COUNCIL SERVICES

Matthew L. Peters

*Legislative Services Analyst
Office of Council Services*

100 N. Holliday Street, Room 420
Baltimore, MD 21202

matthew.peters@baltimorecity.gov

Office: (410) 396-1268

Fax: (410) 545-7596

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2

Petition For Rezoning

On behalf of Express Tire and Auto Repair located at 5401 Pulaski Hwy, Baltimore MD 21205, we are asking for friendly neighborhood support. We have been in business since 2015, providing an excellent level service for a fair price. However, our prime location and outstanding service do not tell our entire story. We also regard our business as a valuable asset to the great city of Baltimore because we have always tried to make a positive impact on our local community, creating jobs for young adults, many of which struggle to live honest lives. We effectively keep them off the streets by teaching them the values of gainful employment and the benefits of an honest day's work. Day by day, we strive to be part of a better Baltimore by positively impacting the lives of both our customers and employees. However, our zoning situation has not treated us kindly, and has made steady business quite difficult to manage. We kindly ask for a simple signature to support our business in these trying times.

We thank you for your constant support and positivity that fuels us.

Express Tire and Auto Repair

NAME ADDRESS SIGNATURE

NAME	ADDRESS	SIGNATURE
HECTOR	3518 Mt Pleasant Ave	<i>[Signature]</i>
Felipe	3717 Mt Pleasant Ave	<i>[Signature]</i>
PAUL MITCHELL	3409 Mt. Pleasant Ave	<i>[Signature]</i>
James Davis	507 Milton	<i>[Signature]</i>
MCKINLEY COLEMAN	705 Richwood	<i>[Signature]</i>
Connor Cowlingmore	6701 Pulaski	<i>[Signature]</i>
Paulmy	3701 Pulaski Hwy	<i>[Signature]</i>
Carey BUOWE	3803 mitchele	<i>[Signature]</i>
LEONARD COLEMAN	705 Richwood Ave	<i>[Signature]</i>
Fred Hoffmann	14370 Burton	<i>[Signature]</i>

3

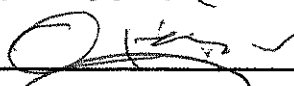

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We thank you for your constant support and positivity that fuels us.

Express Tire and Auto Repair

NAME ADDRESS SIGNATURE

NAME	ADDRESS	SIGNATURE
Barbara Camps	401 E. 27 St.	Barbara Camps
ALEX MESA	3524	
LAWRENCE Holloway	6418 O'DONNELL ST BAYTO MD 21224	
M. Turner	203 CROCKER DR.	M. Turner
Carmen Flores	4108 Independence St.	Carmen Flores
R. Nothe	4029 TURNERWAY	Rebecca Nothe
J. Sparacco	7305 Edgeworth	J. Sparacco
Dominique Pack	4017 St. Monica Dr.	Dominique Pack
C P Moran	7418 Aldworth Rd	C. P. Moran
nicole weaver	604 Freyer St.	N. Weaver

Petition For Rezoning

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Express Tire and Auto Repair

NAME	ADDRESS	SIGNATURE
CLIFF Gillis	3216 evergreen Ave	Cliff Gillis
Antonio Hall	4732 Harford Rd	Antonio Hall
Nelson Williams		Nelson Williams
Sabrina Rukawinski	1917 Guyway	S. Rukawinski
Patricia R	1917 Guyway	Patricia R
Carlo Villan	1001 Miller St.	Carlo Villan
Rafael Penae	4001 Miller St	Rafael Penae
Isron Santon	545 Oliver St Bal	Isron Santon
MARTIN SANTAN	575 OLIVER ST	Martin Santan

Petition For Rezoning

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Express Tire and Auto Repair

NAME ADDRESS SIGNATURE

Houssem Hajj	133 S Central Ave Baltimore, MD	<i>[Signature]</i>
Danielle Klepetka	748 Aidworth Rd	<i>[Signature]</i>
Ant Belton	420 Kent St	<i>[Signature]</i>



Petition For Rezoning

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We thank you for your constant support and positivity that fuels us.

Express Tire and Auto Repair

NAME ADDRESS SIGNATURE

①	Mark Augustyniak	350 Townsend Rd	
②	William Kelly	1815 S ^W Spaw ^{ay}	
③	Amanda	1008 Evans Way	Amanda
④	Nancy Kriscumas	1008 Evans Way	Nancy Kriscumas
⑤	Kayleigh Jr	1003 Evans way	Kayleigh Jr
⑥	Eddie Zerance	1003 Evans Way	Eduard Jr
⑦	Martin Parrish	1000 Evans way	Martin Parrish

	Name	Address	Signature
8	Cindy Parish	10016 Evans Way	Cynthia Parish
9	Jahongir ali	1019 HEWITT way	Jahongir ali
10	Kathryn Arciaga	1104 Anaristead Way	Kathryn Arciaga
11	Linda Welch	5021 Wright Ave	Linda Welch
12	Donna Javed	1019 Hewitt way	Donna Javed
13	Ayub NASEER	5920 Dickens way.	Ayub NASEER
14	Justin [unclear]	1214 Fairfield Ave	Justin [unclear]
15	Michelle [unclear]	145 W. Ostrand St	Michelle [unclear]
16	Tonia Scales	4019 Wilsby Ave	Tonia Scales
17	Tantania Clay	117 Lee Lawrence Court	Tantania Clay
18	Umar @ Man	1202 Horn Bldg, Essex	Umar @ Man
19	Marcell Nelson	129 Willow Spring Rd Apt. 1A	Marcell Nelson
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E. Baylor
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Crutchfield
P. ...
Baylor

Thank you
Aug 31-17
SO MUCH!
E Baylor
11-18-17

4/11/20

I would like to say Express tire on
5401 Pulaski Hwy Has Helped Me out
in many ways. Oct 5 2018 I was Releated
from Jail that Day I started working for
Them. They Have Helped Me and suported Me
in my Efforts in staying on the right track
To Success, I started out just Doing tires
Many People dont get the Opportunity they
giving me. I became there mechanic
Right Away. and now am the Manager-
I really Look up to Them as they
Look up to me to do a good Job and
Stay positive

Martyn Augustyniak


04/15/2020
To Whom It May Concern,


I, Nancy Kiscumas, have lived several blocks away from Express Tire + Repairs along with the car lot at 5401 Pulaski Highway, Baltimore, MD 21205 for as long as they have been open which is approximately 7 years.

I have known the owner Alex Kim since he opened up the business. He has always been honest with me. I have always received reliable fast service at good prices. The employees are very knowledgeable and courteous.

I know Alex Kim is trying to build his business up and needs a zoning change to be able to expand his shop along with the used car dealership.

I fully support him in getting a zoning change.

Thank You, Nancy Kiscumas
1008 Evans Way, Baltimore, MD 21205

This ⁽¹⁻²³⁻²⁰⁾
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IS
GREAT 
Kiffaux

I Love this shop!
Best service +
prices. Very
fair and honest.
Thank you!
Total Tires &
Laurie
Demmy

To all customers,
this is my go-to place.
people here are honest
and friendly, and
service is fast and
affordable. I recommend
this place for everyone.

Thank you
for your
service,
Melanica

This place is GREAT!

Great prices, Quality repairs,
Super FAST service, and
great people! I've stopped
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truly a God send!

-Kijun
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2/12/20

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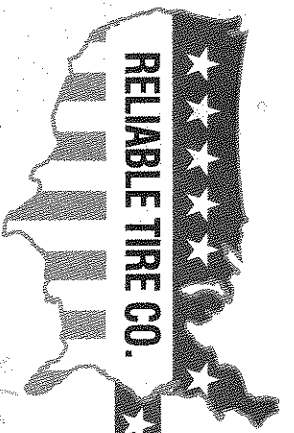
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and appreciated for your

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to people that you do business

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And God

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Very nice guys
will be back
for all of my
automotive needs

Danielle
Williams

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To whom it may pertain

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are courteous, helpful,
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I will continue to come
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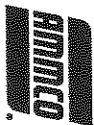
rotor and paid 1/2

of what Mechanics

wanted Prices always

come here for parts and
service,
John

11/18/17



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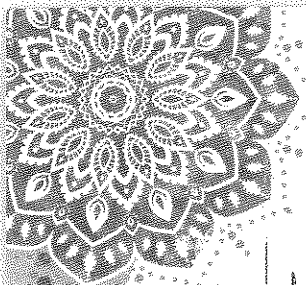
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is in line need of mechanical services for my only vehicle work truck and have been around long enough to know that you can't trust just anyone to work on your vehicle. Was riding by at about 4 p.m. in the evening and just swung in to see what they would say. Marty and the other guys handled business and were cool guys too. I will definitely come back.



1/29/28 Notes and Reminders

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Very Trust worthy

Olhy (with a smiley face)

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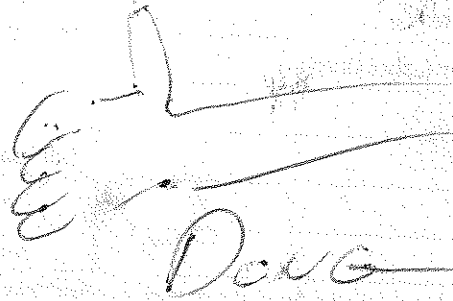
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Doug

4/17/15

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friendliest people.
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this place. Will continue
to be a customer
Patricia Brown



I Second This
with
emotion



GOATS.

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800.233.0381

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saved my ASS!!

They are consistently
the best place so please

hire. Fredy is the BEST!!

His Beyond Nice and
does the extra step

to make sure your

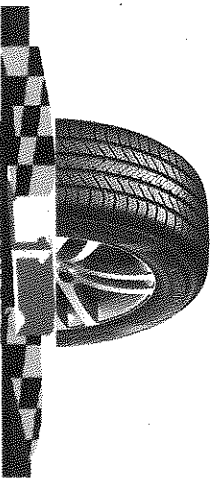
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FREDY!

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Thank you Total tires

Michael & Shelli
XX

LAUFENN Journey in Style

All Brands, Priced Right!

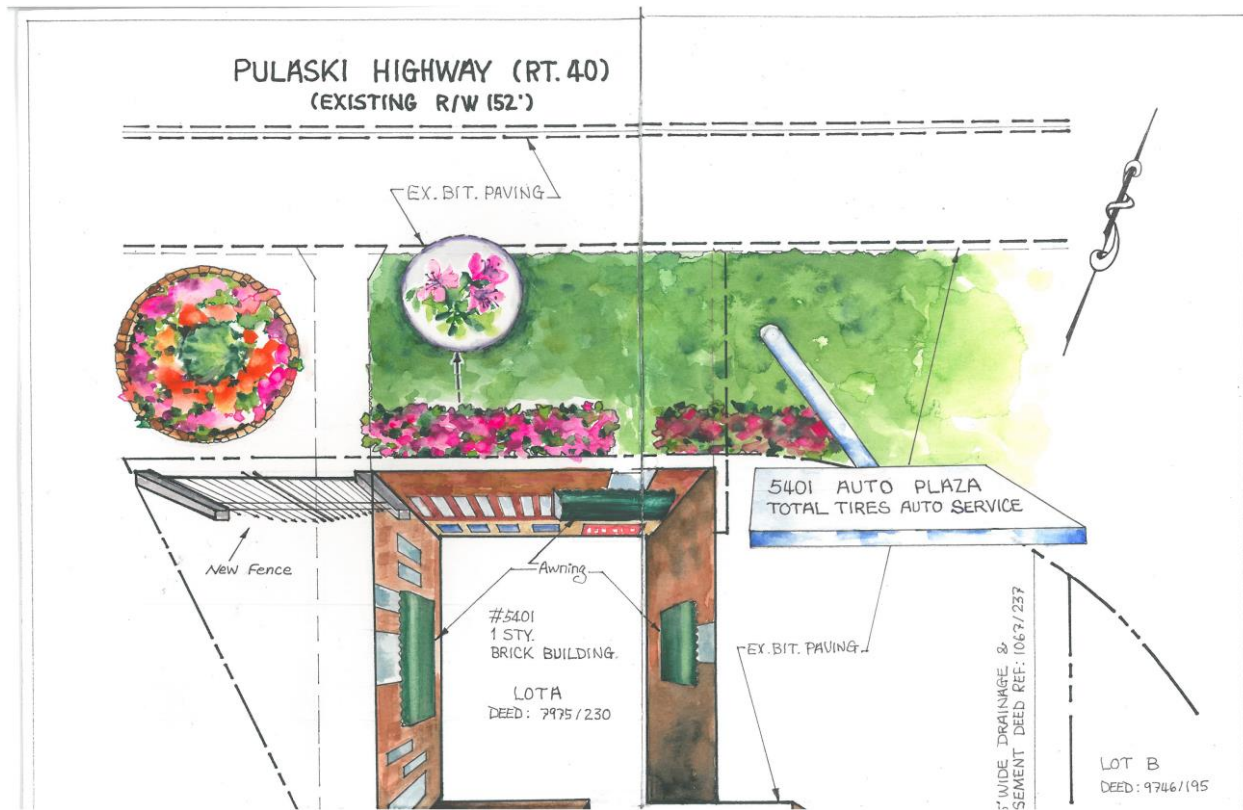
Clifton Dillis

1650 Renaissance Dr.
Essey, MD 21221

I Like to support the Dealerships
IN the 21205 AREA because IT'S
A COMPETITION AND BETTER CHOICE
FOR CUSTOMERS to find something
REASONABLE for the Budget they may
HAVE. I ALSO like to support
ALEX ALOT TO help his business
because IT be Slow but For the
MOST PART he IS Trustworthy,
REASONABLE, AND HOWEST. Definitely
support Zoning Change

Thankyou

Clifton Dillis



Scope of Work

- Cleaning - Throughout, trimming trees, shrubs in back
- Painting - Exterior Front, Side wall
- Awning - Front entrance, Two side entrances
- Lay stone - Mill, Compacting with bobcat - Rear parking lot
- New Free Standing Sign - Front
- Replace Old Fence to Metal Fence - Front
- Plant Azalea Across Front Building
- Make Flower Bed Under Tree - Front

CBK REALTY INC
5401 Pulaski HWY, Baltimore, MD 21205

