

Introduced by: Councilmember Costello

At the request of: Woodall GPG, LLC

Address: c/o Joseph R. Woolman, III, J.R. Woolman, LLC, 111 South Calvert Street, Suite
2700, Baltimore, Maryland 21202

Telephone: 410-385-5328

Prepared by: Department of Legislative Reference

Date: February 21, 2019

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19-0395

A BILL ENTITLED

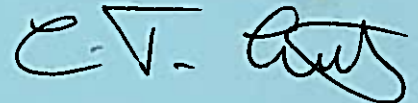
AN ORDINANCE concerning

Rezoning – 1401 Woodall Street and 1446 Stevenson Street

FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

BY amending

Article 32- Zoning
Zoning District Map
Sheet 66
Baltimore City Revised Code
(Edition 2000)



****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

- | | |
|---|---|
| <input type="checkbox"/> Department of Public Works | <input checked="" type="checkbox"/> Baltimore City Public School System |
| <input type="checkbox"/> Department of Real Estate | <input checked="" type="checkbox"/> Baltimore Development Corporation |
| <input type="checkbox"/> Department of Recreation and Parks | <input checked="" type="checkbox"/> City Solicitor |
| <input checked="" type="checkbox"/> Department of Transportation | <input type="checkbox"/> Comptroller's Office |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> Department of Audits |
| <input type="checkbox"/> Health Department | <input type="checkbox"/> Department of Finance |
| <input type="checkbox"/> Mayor's Office of Employment Development | <input type="checkbox"/> Department of General Services |
| <input type="checkbox"/> Mayor's Office of Human Services | <input checked="" type="checkbox"/> Department of Housing and Community Development |
| <input type="checkbox"/> Mayor's Office of Information Technology | <input type="checkbox"/> Department of Human Resources |
| <input type="checkbox"/> Office of the Mayor | <input type="checkbox"/> Department of Planning |
| <input type="checkbox"/> Police Department | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

Boards and Commissions

- | | |
|---|--|
| <input type="checkbox"/> Environmental Control Board | <input type="checkbox"/> Board of Estimates |
| <input type="checkbox"/> Fire & Police Employees' Retirement System | <input type="checkbox"/> Board of Ethics |
| <input type="checkbox"/> Labor Commissioner | <input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals |
| <input type="checkbox"/> Parking Authority Board | <input type="checkbox"/> Comm. for Historical and Architectural Preservation |
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Commission on Sustainability |
| <input type="checkbox"/> Wage Commission | <input type="checkbox"/> Employees' Retirement System |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |

CITY OF BALTIMORE
ORDINANCE **19-248**
Council Bill 19-0345

Introduced by: Councilmember Costello
At the request of: Woodall GPG, LLC
Address: c/o Joseph R. Woolman, III, J.R. Woolman, LLC, 111 South Calvert Street, Suite
2700, Baltimore, Maryland 21202
Telephone: 410-385-5328
Introduced and read first time: February 25, 2019
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable
Council action: Adopted
Read second time: April 15, 2019

AN ORDINANCE CONCERNING

1 **Rezoning – 1401 Woodall Street and 1446 Stevenson Street**

2 FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block
3 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to
4 the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block
5 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning
6 District to the TOD-3 Zoning District.

7 BY amending

8 Article 32- Zoning
9 Zoning District Map
10 Sheet 66
11 Baltimore City Revised Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 Sheet 66 of the Zoning District Map is amended by changing from the C-2 Zoning District to the
15 TOD-3 Zoning District the property known as 1401 Woodall Street (Block 2016, Lot 074), as
16 outlined in red on the plat accompanying this Ordinance, and by changing from the I-1 Zoning
17 District to the TOD-3 Zoning District the property known as 1446 Stevenson Street (Block 2016,
18 Lots 032 and 033), as outlined in red on the plat accompanying this Ordinance.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
20 accompanying plat and in order to give notice to the agencies that administer the City Zoning
21 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
22 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;

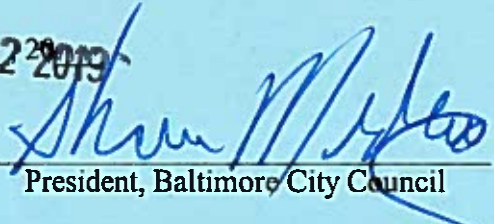
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 19-0345

1 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
2 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
3 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
4 the Zoning Administrator.

5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
6 after the date it is enacted.

Certified as duly passed this _____ day of APR 22 2019



President, Baltimore City Council

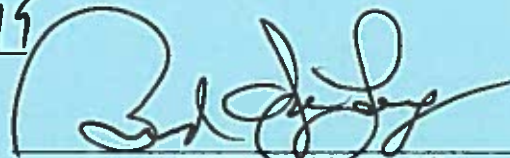
Certified as duly delivered to Her Honor, the Mayor,

this _____ day of APR 22 2019



Chief Clerk


Approved this 24th day of April, 2019



Mayor, Baltimore City

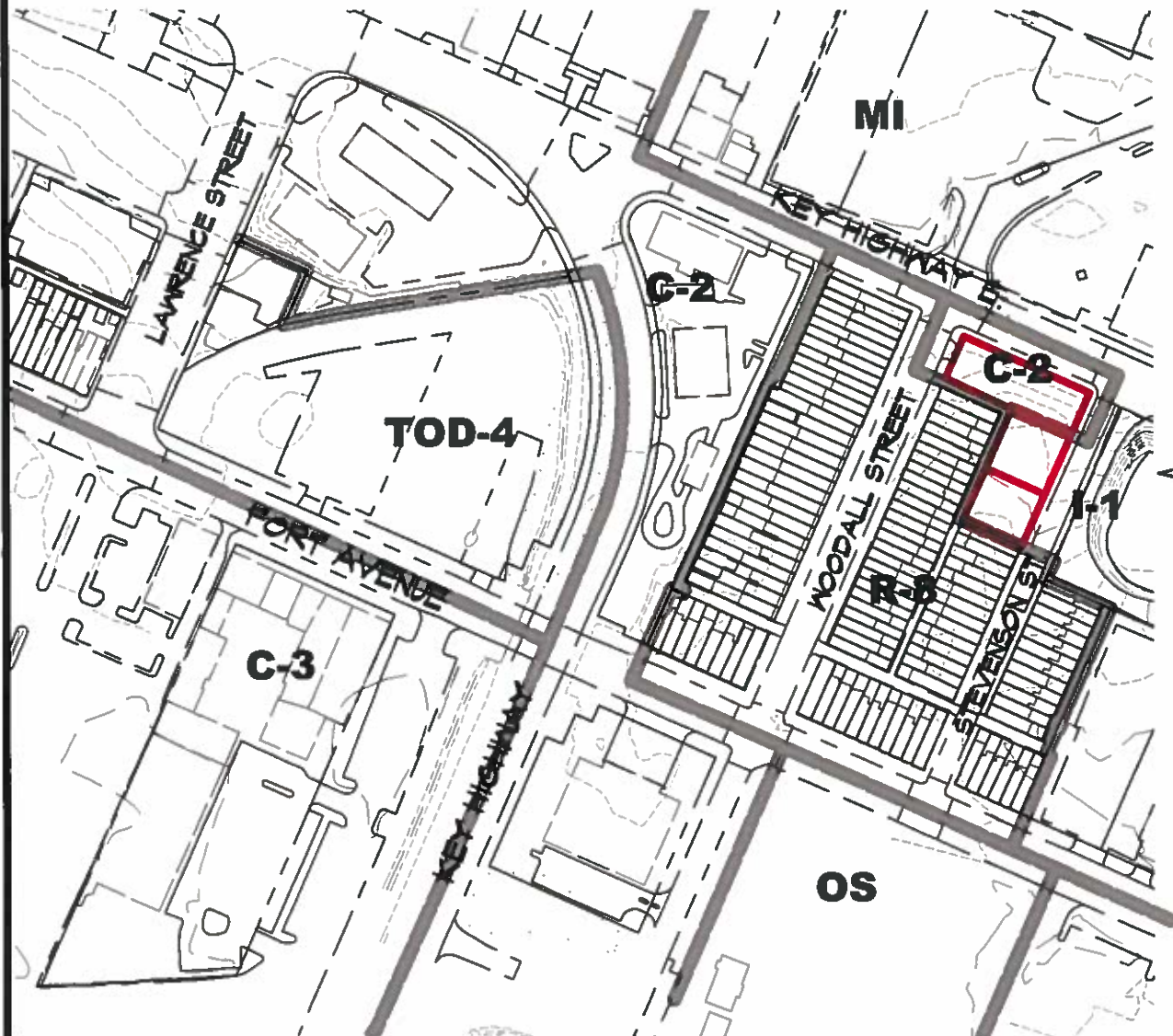
Approved For Form and Legal Sufficiency

This 24th Day of April 2019



Chief Solicitor

SHEET NO. 66 OF THE ZONING DISTRICT MAP OF BALTIMORE CITY ZONING CODE



[Handwritten Signature]

 MAYOR

[Handwritten Signature]

 PRESIDENT CITY COUNCIL

NOTE:
 IN CONNECTION WITH THE PROPERTY KNOWN AS 1401 WOODALL ST AND 1446 STEVENSON STREET, THIS APPLICANT WISHES TO REQUEST THE REZONING OF THE AFOREMENTIONED PROPERTY FROM I-1 ZONING AND C-2 ZONING TO TOD-3 ZONING AS OUTLINED IN RED ABOVE.



MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1220-C E. JOPPA RD., SUITE 505
 TOWSON, MD 21286
 (410) 821-1690
 RPIKE@MRAGTA.COM
 MRAGTA.COM

Copyright 2019 Morris & Ritchie Associates, Inc.

**1401 WOODALL STREET &
 1446 STEVENSON STREET**
 LOTS 32, 33 & 74

WARD 24, SECTION 10, BLOCK 2016
 BALTIMORE CITY, MARYLAND

SCALE: 1" = 200'	DATE:	DRAWN BY: RJP	DESIGN BY: RJP	REVIEW BY: TJS	JOB NO. : 19983
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345

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO SECTIONS 10-304 AND 10-305 OF THE MARYLAND LAND USE ARTICLE AND SECTION 5-508 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING THE REZONING OF:

**CITY COUNCIL BILL NO: 19-0345
REZONING - 1401 WOODALL STREET AND 1446 STEVENSON STREET**

Upon finding as follows with regard to:

(1) Population changes;

The site is directly adjacent to the boundaries represented by Census Tract 2401. According to U.S. Census Bureau estimates the population of the neighborhood has increased from 2,240 in 2010 to 3,119 in 2016, a 39% increase. In the past 1.5 years, over close to three hundred (300) multi-family dwelling units and fifty (50) new single-family homes have been delivered in the immediate vicinity.

ADOPTED

(2) The availability of public facilities;

Adequate public facilities are available for a variety of uses. According to the Department of Planning, this area is served by public utilities and services, which will support a range of re-development options for this site.

(3) Present and future transportation patterns;

The property enjoys excellent access to I-95 and is in close proximity to a Water Taxi transit station and Charm City Circulator routes.

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

The rezoning is compatible with all existing and proposed development in the immediate area.

(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 – In its consideration of this bill, the Planning Commission reviewed the attached staff report which recommended disapproval of City Council Bill #19-0345 and adopted the following resolution; six members being present (six in favor):

RESOLVED, That the Planning Commission concurs with the recommendations of its departmental staff, and recommends that City Council Bill #19-0345 be disapproved by the City Council.

- Board of Municipal Zoning Appeals (BMZA) – These properties were the subject of BMZA appeal number BMZ2018-18-72. As that matter is currently in active litigation before the Circuit Court for Baltimore City (Case No. 24-C-18-006357) BMZA takes no position on CC Bill no. 19-0345.
- Law Department – The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for rezoning has been met and whether the rezoning amounts to spot zoning. Assuming the required findings are made at the hearing and that all procedural requirements are satisfied, including receipt of a report from the Planning Commission and facts are presented that rule out spot zoning, the Law Department could approve the bill for form and legal sufficiency.
- Department of Transportation – The Department of Transportation defers to the Department of Planning for Council Bill 19-0345.
- Department of Housing and Community Development - Takes no position on City Council Bill 19-0345
- Baltimore Development Corporation – Does not oppose City Council Bill 19-0345.

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

The rezoning conforms to the City's Comprehensive Master Plan:

LIVE Goal1: Build Human and Social Capital by Strengthening Neighborhoods

Objective 1: Expand Housing Choices for all Residents

Objective 2: Strategically Redevelop Vacant Properties Throughout the City, and

Objective 5: Increase the City's Population by 10,000 Households in 6 Years

Live Goal 2: Elevate the Design and Quality of the City's Built Environment

Objective 4: Protect and Enhance the Preservation of Baltimore's Historic Buildings and Neighborhoods

Play Goal 1: Enhance the Enjoyment, Appreciation, and Stewardship of Baltimore's Historical and Cultural Resources

Objective 4: Strengthen Stewardship of Historical and Cultural Resources.

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

These properties are located in the eastern edge of the Riverside neighborhood, near the edge of the Locust Point neighborhood. Boundaries of the neighborhood are approximately Woodall Street and Key Highway to the West, the Northwest Harbor to the North, Fort McHenry to the East, and McComas Street and the South west Harbor to the South.

The last uses of these properties was for an industrial building (1401 Woodall Street), and undeveloped lots. There are adjacent rowhomes to the west, and industrial uses to the east and north.

SEE THE ATTACHED AERIAL PHOTO.

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

These properties are located at the borders of R-8 residential, I-1 industrial, and MI maritime industrial zoned property.

Prior to the comprehensive rezoning of the City that went into effect in June of 2017, these lots were zoned M-3 for industrial uses. The (Planning) staff recommendation for these lots were for I-1 industrial use, but in the final adopted maps, 1401 Woodall Street was zoned C-2 for commercial use, while the other two lots kept the original recommended I-1 industrial designation.

SEE THE ATTACHED ZONING MAP

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

The properties are suitable for the uses permitted under its existing zoning classification.

- (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;

Development trends and the failure to recognize and consider them support the findings of mistake as well as the change to the proposed zoning classification.

Mr. Joseph Wollman testified that due to recent development projects in the area development trends were changing. The community was not supportive of uses initially proposed under the C-2 zoning district. The Locust Point Civic Association, American Sugar Refining, Inc. and the applicant Woodall GPG, LLC are working on a Memorandum of Understanding for development in the area.

- (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 Existing Zoning Classifications were the result of a mistake by the City Council.

Mr. Joseph Wollman, representative for the applicant, provided a brief history about the property. He pointed out that two of the parcels were never properly identified by the City. He handed out a photo of an aerial map of the area, a photo of the zoning classifications for the area, a photo of the proposed height and massing for the site and proposed findings of facts. He explained that the C-2 zoning for the Woodall Street property, which was directly adjacent to R-8 and I-1 Zoning Districts, was an anomaly. The properties on Stevenson Street, which were directly adjacent to the Woodall Street properties were zoned I-1. The aerial zoning map showed that properties in the immediate adjacent area had a variety of zoning districts which included R-8, I-1, MI (Maritime Industrial), C-2 and OS (Open Space). The aerial zoning map also showed a nearby TOD-4 Zoning District. Mr. Wollman indicated that a Memorandum of Understanding had been drafted between the Locust Point Civic Association, Domino Sugar

Company and the applicant. Mr. Wollman presented proposed findings of facts. He emphasized that there had been a mistake in the zoning of the properties during the City's comprehensive zoning process.

SOURCE OF FINDINGS (Check all that apply):

- [X] Planning Report – Certain findings listed above have been transferred from the Department of Planning's report dated March 7, 2019
- [X] Testimony presented at the Committee hearing

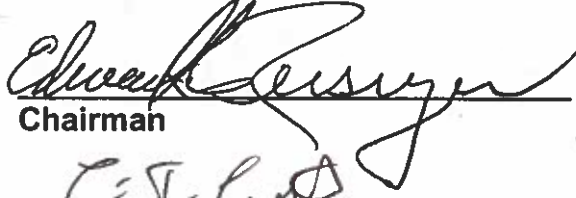
Oral – Witness Name:

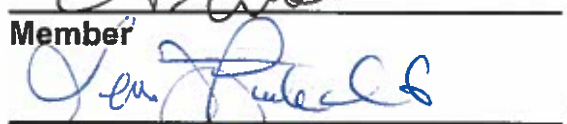
- Councilmember Eric Costello, Sponsor of the Bill
- Mr. Joseph Wollman, Esquire, Representative for the Applicant
- Mr. Eric Tiso, Department of Planning
- Mr. Tyrell Dixon, Department of Housing and Community Development
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. David Framm, Department of Transportation
- Ms. Elena DiPietro, Department of Law
- Ms. Raven Thompson, Baltimore Development Corporation

Written:

- Councilmember Eric Costello submitted a letter from Mr. Matt Farcosky, President, Locust Point Civic Association Dated April 3, 2019; Proposed Findings of Facts Handout to Committee and a draft of a Memorandum of Understanding between American Sugar Refining, Inc., Locust Point Civic Association, Inc. and Woodall GPG, LLC.
- Mr. Joseph Wollman, Esquire - Proposed Findings of Fact for Bill 19-0345 and 1 Aerial Maps of Buildings in the General Area of the Property; 1 Aerial Map of the Zoning Districts for the General Area of the Property; and Drawing of the Building Mass
- Planning Commission, Agency Report – Dated March 8, 2019
- Department of Planning Staff Report – Dated March 7, 2019
- Department of Transportation, Agency Report – Dated March 26, 2019
- Board of Municipal Zoning Appeals, Agency Report – Dated April 2, 2019
- Law Department, Agency Report – Dated March 29, 2019
- Department of Housing and Community Development, Agency Report – Dated March 29, 2019
- Baltimore Development Corporation, Agency Report – Dated April 1, 2019

LAND USE AND TRANSPORTATION COMMITTEE:


Chairman


Member


Member

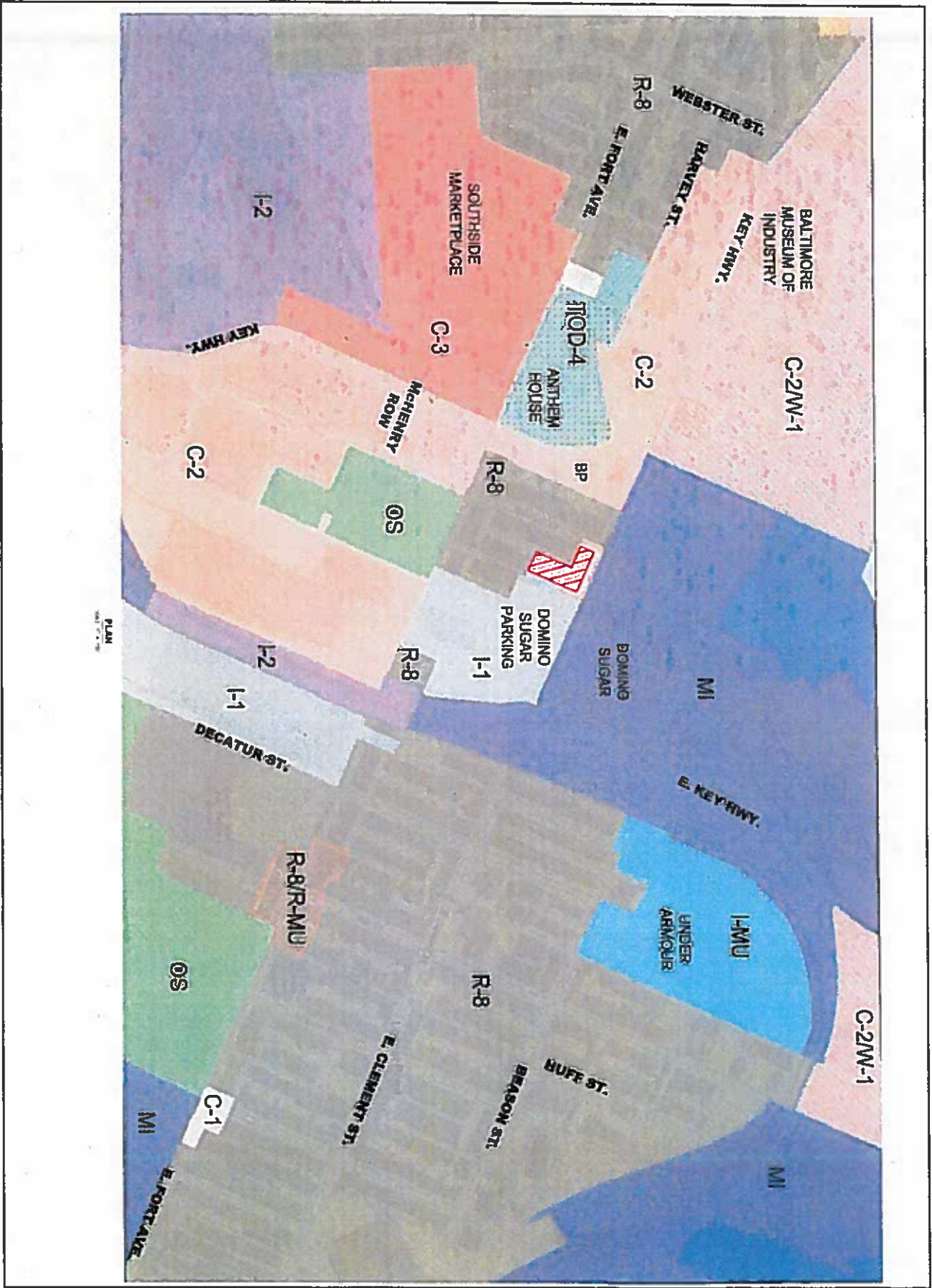

Member

Member

Member

Member

Member



PLAN
MAY 17, 2010



REPORTING TO: BALTIMORE
PLANNING & ZONING
COMMISSION
1500 W. BALTIMORE ST.
BALTIMORE, MD 21201
DATE: 5/17/10
BY: [Signature]

1401 WOODALL ST.
BALTIMORE, MARYLAND

1. PROPERTY INFORMATION

OWNER: [Name]
ADDRESS: [Address]

NO.	DATE	REVISION	BY
1	05/17/10	ISSUE	[Name]

PROJECT TITLE: LOOIST POINT ZONING EXHIBIT

DATE: 05/17/10

BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: April 3, 2019

BILL#: 19-0345

BILL TITLE: Rezoning - 1401 Woodall Street and 1446 Stevenson Street

MOTION BY: Clarke SECONDED BY: Costello

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>		<u>1</u>	

CHAIRPERSON: *Ryan Dorsey*

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100
<http://www.thedailyrecord.com>

Order #: 11710157
Case #:
Description:
PUBLIC HEARING ON BILL NO. 19-0345

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

3/19/2019



Darlene Miller, Public Notice Coordinator
(Representative Signature)

BALTIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 19-0345

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 3, 2019 at 1:10 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0345

CC 19-0345 ORDINANCE - Rezoning - 1401 Woodall Street and 1446 Stevenson Street

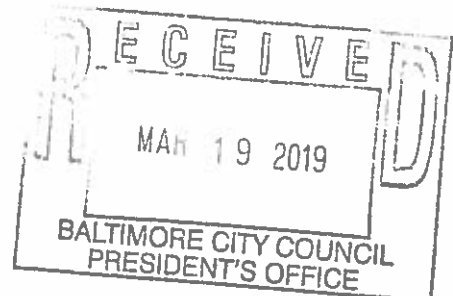
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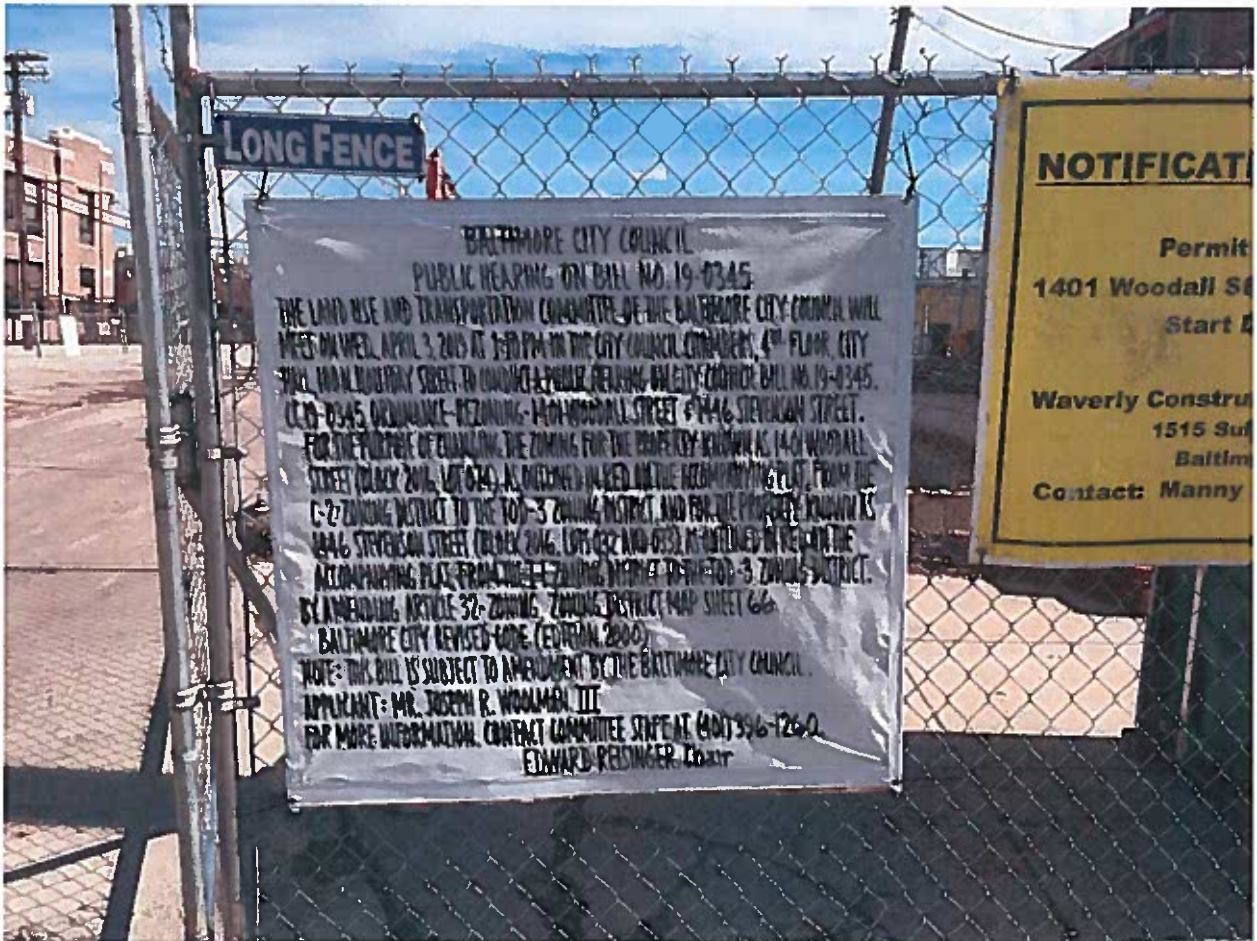
NOTE: This bill is subject to amendment by the Baltimore City Council.
Applicant: Mr. Joseph R. Woolman, III
For more information, contact committee staff at (410) 396-1260.

EDWARD REISINGER
Chair

mh19



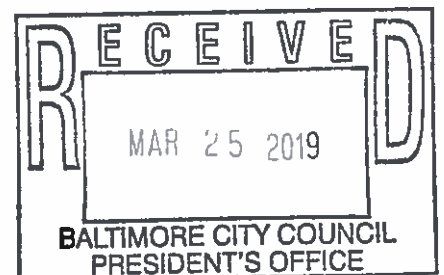
Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0345
3/22/2019



Address: 1401 Woodall Street (1 of 3)

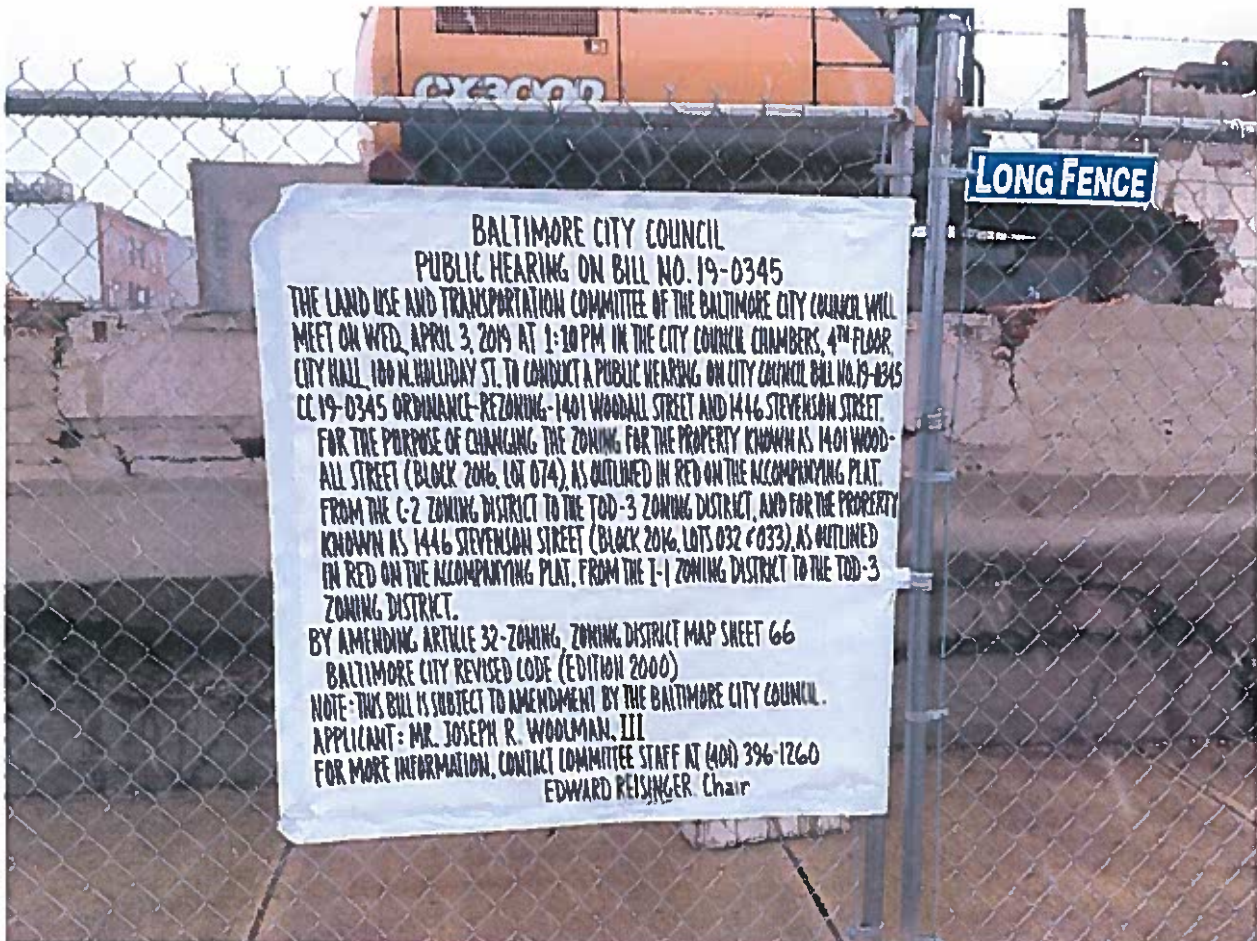
Date Posted: March 4, 2019

Name: Mr. Joseph R. Woolman, III
Address: 111 South Calvert Street, suite 2700
Baltimore, Md. 21202
Telephone: 410-385-5328



- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0345
3/22/2019

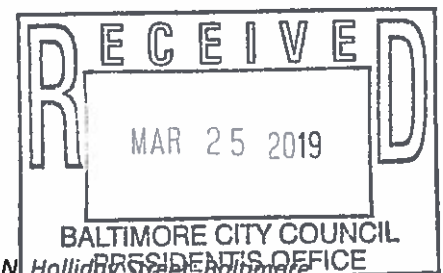


Address: 1401 Woodall Street (2 of 3) NES Key Highway between Stevenson and Woodall Streets

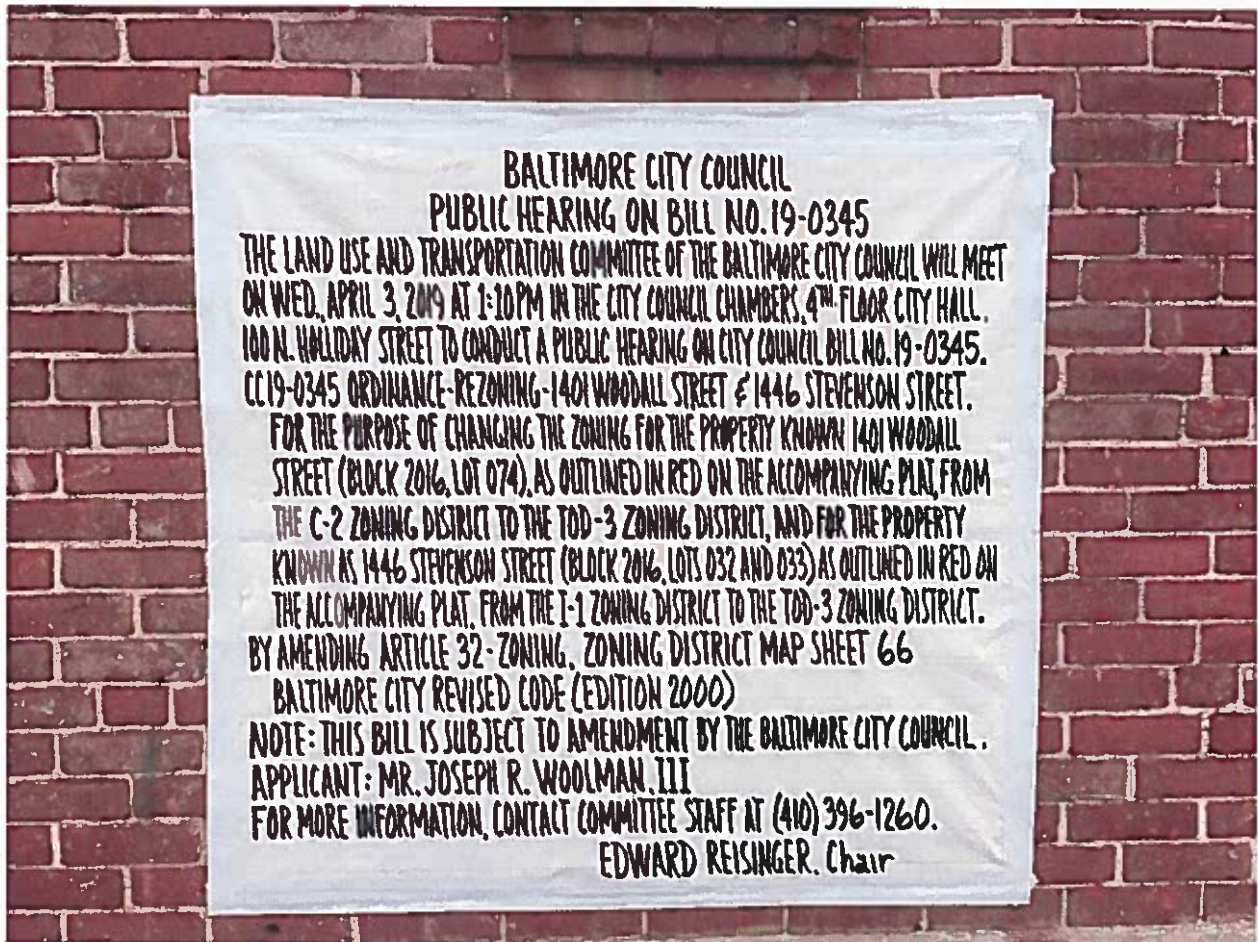
Date Posted: March 4, 2019

Name: Mr. Joseph R. Woolman, III
Address: 111 South Calvert Street, suite 2700
Baltimore, Md. 21202
Telephone: 410-385-5328

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N Holliday Street, Baltimore, MD 21202



Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0345
3/22/2019



Address: 1446 Stevenson Street (3 of 3) (behind 1401 Woodall St.)

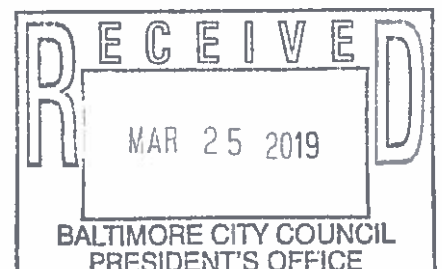
Date Posted: March 4, 2019

Name: Mr. Joseph R. Woolman, III

Address: 111 South Calvert Street, suite 2700

Baltimore, Md. 21202

Telephone: 410-385-5328



- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #19-0345 / REZONING - 1401 WOODALL STREET AND 1446 STEVENSON STREET

CITY of
BALTIMORE
MEMO



TO

DATE: March 8, 2019

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

At its regular meeting of March 7, 2019, the Planning Commission considered City Council Bill #19-0345, for the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended disapproval of City Council Bill #19-0345 and adopted the following resolution; six members being present (six in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0345 be disapproved by the City Council.

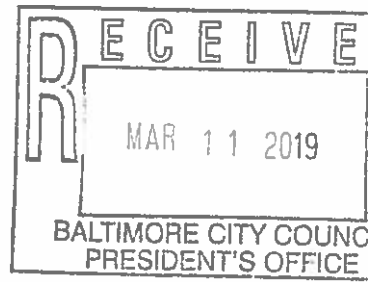
If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
- Mr. Jim Smith, Chief of Strategic Alliances
- Ms. Karen Stokes, Mayor's Office
- Mr. Colin Tarbert, Mayor's Office
- Mr. Jeff Amoros, Mayor's Office
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. William H. Cole IV, BDC
- Mr. Derek Baumgardner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Mr. Tyrell Dixon, DCHD
- Ms. Elena DiPietro, Law Dept.
- Mr. Francis Burnszynski, PABC
- Mr. Frank Murphy, DOT
- Ms. Eboni Wimbush, DOT
- Ms. Natawna Austin, Council Services
- Mr. Ervin Bishop, Council Services
- Mr. Joe Woolman, Esq.

UA





Catherine E. Pugh
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

March 7, 2019

REQUESTS:

- City Council Bill #17-0149/ Rezoning – 1401 Woodall Street and 1446 Stevenson Street:
For the purpose of changing the zoning for the properties known as 1401 Woodall Street and 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the C-2 Zoning District.
- City Council Bill #19-0345/ Rezoning – 1401 Woodall Street and 1446 Stevenson Street:
For the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

RECOMMENDATIONS:

- City Council Bill #17-0149: Disapproval
- City Council Bill #19-0345: Disapproval

STAFF: Eric Tiso

PETITIONER: Woodall GPG, LLC, c/o Joseph R. Woolman, III

OWNER: Woodall GPG, LLC

SITE/GENERAL AREA

Site Conditions: 1401 Woodall Street is located on the southeastern corner of the intersection with Key Highway. The lot measures 51'10" by 155'4", and is currently zoned C-2 Commercial. 1446 Stevenson Street, and the adjacent unaddressed lot are located on the western side of the street, and are adjacent to 1401 Woodall Street. These two lots are zoned I-1 Industrial.

General Area: These properties are located in the eastern edge of the Riverside neighborhood, near the edge of the Locust Point neighborhood.

HISTORY

There are no previous legislative or Planning Commission actions regarding these sites.

ANALYSIS

Introduction: These bills are designed to align the zoning of these three parcels into a singular category, to enable the redevelopment of these lots. These two bills represent two alternatives, where CCB #17-0149 proposes to make all three of the lots C-2, while CCB #19-0345 rezones all three properties to TOD-3 as an alternative option. Staff notes that CCB #17-0149 makes reference to all three properties in the bill caption, though 1401 Woodall Street is already zoned C-2, and so does not need to be referenced. The associated plat map correctly depicts the current state of the properties, and only highlights the two lots on Stevenson Street as being rezoned. Should this bill be approved, the caption of the bill should be corrected accordingly.

Below are the approval standards under §5-508(b) of Article 32 – *Zoning* for proposed zoning map amendments:

(b) *Map amendments.*

(1) *Required findings.*

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; or
- (ii) a mistake in the existing zoning classification.

(2) *Required findings of fact.*

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes;
- (ii) the availability of public facilities;
- (iii) present and future transportation patterns;
- (iv) compatibility with existing and proposed development for the area;
- (v) the recommendations of the City agencies and officials; and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan.

(3) *Additional standards – General*

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
- (iv) 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 zoning classification.

Below is the staff's review of the required considerations of §5-508(b)(3) of Article 32 – *Zoning*, where staff finds that neither of these proposed changes are in the public's interest, in that it will allow for a significant amount of development that will be incompatible with the existing two-story rowhomes immediately adjacent to the subject properties to the west. The TOD-3 proposal will result in even more potential development than the C-2 proposal, both in terms of vertical height, as well as overall intensity of use, and is even less compatible with surrounding properties.

Maryland Land Use Code – Requirements for Rezoning:

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular

neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

1. **The Plan:** Prior to the comprehensive rezoning of the City that went into effect in June of 2017, these lots were zoned M-3 for industrial uses. The staff recommendation for these lots were for I-1 industrial use, but in the final adopted maps, 1401 Woodall Street was zoned C-2 for commercial use, while the other two lots kept the original recommended I-1 industrial designation.
2. **The needs of Baltimore City:** There is no apparent need for additional commercial zoning in this area of the City, and the desire for rezoning appears to be motivated by contemplated redevelopment options.
3. **The needs of the particular neighborhood:** These lots are adjacent to existing two-story rowhomes, which will be significantly impacted by the potential development made possible by C-2 zoning, or TOD-3 zoning (up to 100' in height in either case).

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes;** There have been no significant changes in population in this area, since the time of the last comprehensive rezoning of this area.
2. **The availability of public facilities;** This area is served by public utilities and services, which will support a range of redevelopment options for this site.
3. **Present and future transportation patterns;** These properties are set within the existing street grid of the neighborhood, which are local streets serving the Riverside and Locust Point neighborhoods, connecting to Key Highway to the west.
4. **Compatibility with existing and proposed development for the area;** These proposals both represent a significant increase in potential development, both in terms of building height, as well as intensity of use. This increase will be incompatible with the lower heights of the adjacent residential properties and light industrial properties.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend disapproval of the rezoning requests to the Planning Commission. The BMZA's recommendation for CCB #17-0149 was to take no position, as their review of a development project on this site (via BMZ2018-00072 is in active litigation), but they have not yet commented on CCB #19-0345.
6. **The relation of the proposed amendment to the City's plan.** Planning staff does not believe that these two zoning alternatives meet any need in the City's plan. Expanding on the isolated C-2 zoning would be difficult enough to justify, which is made all the harder for a further increase under TOD-3. Staff sees these proposals as simply spot zoning, where the a zoning classification is selected that meets the needs of the desired potential development, rather than choosing a classification appropriate for its area, and allowing it to guide development.

There are additional standards under §5-508(b)(3) that must be considered for map amendments. These include:

- (i) existing uses of property within the general area of the property in question;** The last uses of these properties was for an industrial building (1401 Woodall Street), and undeveloped lots. There are adjacent rowhomes to the west, and industrial uses to the east and north.
- (ii) the zoning classification of other property within the general area of the property in question;** These properties are located at the borders of R-8 residential, I-1 industrial, and MI maritime industrial zoned property.
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and**
 - For the proposed C-2 zoning: “The C-2 Community Commercial Zoning District is intended for areas of small to medium scale commercial use, typically located along urban corridors, that are designed to accommodate pedestrians and, in some instances, automobiles.” And, “The C-2 District standards are crafted to: (1) ensure compatibility among neighboring residential, commercial, and entertainment uses; (2) maintain the proper scale of commercial use; and (3) maintain a balance between high traffic volume and pedestrian circulation.” (cf. §10-204). Where C-2 zoning exists around the City, it is usually zoned along corridors on significant streets, or in nodes as intersections of commercial corridors, or as an extension of more intense C-3 zoned commercial areas. It is rare to see C-2 zoning applied in isolation, and in those rare instances was done to reflect existing uses of land, rather than to overcome existing zoning to allow greater potential future development.
 - For the proposed TOD-3 zoning: Transit-Oriented Development Districts are established for areas around existing and anticipated transit stations. Specifically, the TOD-3 Transit-Oriented Development District is characterized by significant height and a limited retail use mix (§12-0401). There are no existing or proposed transit stations in the surrounding neighborhoods that would support TOD-3 designation.
- (iv) 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 zoning classification.** There have been no significant changes in the general area since the last comprehensive rezoning of the City in June of 2017.


Per §5-508(1) of Article 32 – *Zoning*, and as required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification. Given that the comprehensive rezoning of the City took place in June of 2017, there hasn't been enough passage time to possibly find a substantial change in the character of the neighborhood. As for mistake, Planning staff doesn't see how a mistake might have been made, where these properties were not zoned with more intense zoning than they already had been given. Staff also notes that through the final stages of the legislative

process, the zoning for 1401 Woodall Street was changed from I-1 to C-2 in the draft maps that later were adopted. An opportunity existed at that time to expand on the commercial zoning, the Council elected not to do so. We therefore must presume their review of this area was correct.

Notification: The Locust Point Civic Association has been notified of this action.

A handwritten signature in black ink, appearing to be 'Chris Ryer', written over a circular stamp.

Chris Ryer
Director

F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0345		

TO: Mayor Catherine E. Pugh
TO: Land Use and Transportation Committee
FROM: Department of Transportation
POSITION: Support
RE: Council Bill 19-0345

DATE: 3/26/19

INTRODUCTION – AN ORDINANCE concerning Rezoning – 1401 Woodall Street and 1446 Stevenson Street.

PURPOSE/PLANS – FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 4 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to 5 the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 6 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning 7 District to the TOD-3 Zoning District.

COMMENTS – Transit Oriented Development is defined as dense, mixed use, deliberately planned development in close proximity to existing or planned stations on major transit lines, typically rail or high capacity bus. There is no such service on the Locust Point Peninsula. Consequently, the Woodall Stevenson site would not be a candidate for a TOD designation.

North of the site the land use is heavy industrial and generates a high level of truck traffic. Increasing the density of development would add to the congestion already in existence and negatively impact the efficiency of the industrial businesses. Additionally, Baltimore City Department of Transportation would require additional resources to address the increased congestion.

AGENCY/DEPARTMENT POSITION – The Department of Transportation defers to Department of Planning for Council Bill 19-0345.

If you have any questions, please do not hesitate to contact Eboni Wimbush, Chief of Staff at 410-396-6802 or via email Eboni.Wimbush@baltimorecity.gov.

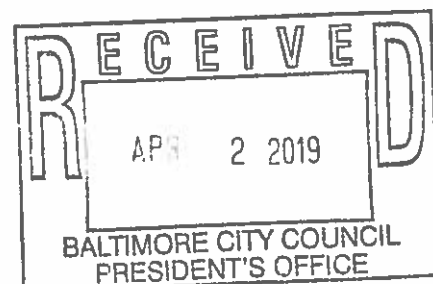
Sincerely,



MICHELLE POURCIAU
DIRECTOR

MP:mm

cc: Eboni Wimbush
Files



Defers to planning

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Suite 922
Baltimore, Maryland 21202

April 2, 2019

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

RE: CC Bill #19-345: Rezoning - 1401 Woodall Street and 1446 Stevenson Street

Ladies and Gentlemen:

City Council Bill No. 19-345 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of this bill is to change the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

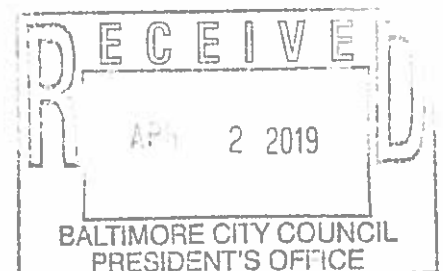
These properties were the subject of BMZA appeal number BMZ2018-72. As that matter is currently in active litigation before the Circuit Court for Baltimore City (Case No. 24-C-18-006357) BMZA takes no position on CC Bill No. 19-345.

Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayors Office of Council Relations
City Council President
Legislative Reference

No position



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

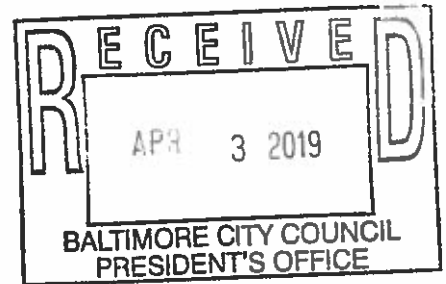


DEPARTMENT OF LAW

101 City Hall
Baltimore, Maryland 21202

March 29, 2019

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



Re: City Council Bill 19-0345 – Rezoning – 1401 Woodall St. and 1446
Stevenson St.

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0345 for form and legal sufficiency. The bill would change the zoning for the property known as 1401 Woodall St. from the C-2 zoning district to the TOD-3 zoning district and 1446 Stevenson St (Block 2016, lots 032 and 033), from the I-1 Zoning District to the TOD-3 Zoning District.

The City Council may permit this rezoning if it finds facts sufficient to show either a mistake in the existing zoning classification or a substantial change in the character of the neighborhood. Md. Code, Land Use, §10-304(b)(2); Baltimore City Code, Art. 32, §§5-508(a) and (b)(1). There would appear to be no basis to believe that the neighborhood has substantially changed between the comprehensive rezoning of the property on June 5, 2017 and today's date. Therefore, to legally rezone the property the City Council must identify a "mistake" that lead to the inappropriate zoning of the property as C-2 and I-1.

In determining whether to rezone on the basis of mistake, the City Council is required to make findings of fact, for each property, on the following matters:

- (1) population change;
- (2) the availability of public facilities;
- (3) the present and future transportation patterns;
- (4) compatibility with existing and proposed development;
- (5) the recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals; and
- (6) the relationship of the proposed amendment to the City's plan.

comments

Md. Land Use Code Ann., §10-304(b)(1); *see also*, Baltimore City Code, Art. 32, §5-508(b)(2) (citing same factors with (v) being “the recommendations of the City agencies and officials,” and (vi) being “the proposed amendment’s consistency with the City’s Comprehensive Master Plan.”).

Article 32 of the City Code also requires Council to consider:

- (i) existing uses of property within the general area of the property in question;
- (ii) the zoning classification of other property within the general area of the property in question;
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and
- (iv) 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 zoning classification.

Baltimore City Code, Art. 32, §5-508(b)(3).

The Mayor and City Council’s decision regarding a piecemeal rezoning is reviewed under the substantial evidence test, and should be upheld “if reasoning minds could reasonably reach the conclusion from facts in the record.” *City Council of Prince George’s Cty. v. Zimmer Dev. Co.*, 444 Md. 490, 510 (2015) (quoting *Cremins v. Cnty. Comm’rs of Washington Cnty.*, 164 Md.App. 426, 438 (2005)); *see also White v. Spring*, 109 Md. App. 692, 699, *cert. denied*, 343 Md. 680 (1996) (“the courts may not substitute their judgment for that of the legislative agency if the issue is rendered fairly debatable”); *accord Floyd v. County Council of Prince George’s County*, 55 Md.App. 246, 258 (1983) (“substantial evidence’ means a little more than a ‘scintilla of evidence.’”).

Mistake in the Current Zoning Classification

With regard to rezoning on the basis of mistake, it is “firmly established that there is a strong presumption of the correctness of original zoning and of comprehensive rezoning.” *People’s Counsel v. Beachwood I Ltd. Partnership*, 107 Md. App. 627, 641 (1995) (quoting *Wells v. Pierpont*, 253 Md. 554, 557 (1969)). To sustain a piecemeal change, there must be substantial evidence that “the Council failed to take into account then existing facts . . . so that the Council’s action was premised . . . on a misapprehension.” *White*, 109 Md. App. at 698 (citation omitted). In other words, “[a] conclusion based upon a factual predicate that is incomplete or inaccurate may be deemed in zoning law, a mistake or error; an allegedly aberrant conclusion based on full and accurate information, by contrast, is simply a case of bad judgment, which is immunized from second-guessing.” *Id.* “Error can be established by showing that at the time of the comprehensive zoning the Council failed to take into account then existing facts, or projects or trends which were reasonably foreseeable of fruition in the future, so that the Council’s action was premised initially on a misapprehension[,] [and] “by showing that events

occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect." *Boyce v. Sembly*, 25 Md. App. 43, 51 (1975) (citations omitted). "Thus, unless there is probative evidence to show that there were then existing facts which the Council, in fact, failed to take into account, or subsequently occurring events which the Council could not have taken into account, the presumption of validity accorded to comprehensive zoning is not overcome and the question of error is not 'fairly debatable.'" *Id.* at 52.

A finding of mistake, however, absent a regulatory taking, merely permits the further consideration of rezoning, it does not mandate a rezoning. *White*, 109 Md. App. at 708. Rather, a second inquiry "regarding whether, and if so, how, the property is reclassified," is required. *Id.* at 709. This second conclusion is due great deference. *Id.* (after a prior mistake has been established and accepted as fact by a legislative zoning entity, that entity's decision as to whether to rezone, and if so, how to reclassify, is due the same deference the prior comprehensive rezoning was due).

In sum, the Land Use and Transportation Committee (the "Committee") is required to hold a quasi-judicial public hearing with regard to the bill wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Committee is required to make findings of fact for each property with regard to the factors in §§10-304 and 10-305 of the Land Use Article and § 5-508 of Article 32 of the Baltimore City Code. If, after its investigation of the facts, the Committee makes findings which support: (1) a mistake in the comprehensive zoning; and (2) a new zoning classification for the properties, it may adopt these findings and the legal requirements for granting the rezoning would be met.

Here, the Planning Commission has recommended disapproval of the bill. The Commission concurred with the Staff Report and its recommendation of disapproval. The Staff Report is, therefore, not available as a source of facts upon which the City Council can base its findings. Facts to support a mistake in the current zoning, therefore, must be offered during the hearing on the bill.

Spot Zoning

In addition to not providing facts to support mistake, the staff Report suggests that the scenario in this case amounts to spot zoning.

The law with respect to spot zoning is well settled. In *Tennison v. Shomette*, 38 Md. App. 1, 8 (1977), the Court of Special Appeals explained that spot zoning occurs when a small area in a district is placed in a zoning classification which is different from the surrounding properties. The *Tennison* court reasoned that generally "spot zoning is not invalid per se", but that "its validity depends on the facts of each individual case."

It has also long been held by the courts that although spot zoning is illegal if inconsistent with an established comprehensive plan and is made solely for the "benefit of private interests", it can also be a valid exercise of the police power where the zoning is in harmony with the comprehensive plan and bears a substantial relationship to the public health, safety, and general welfare. Cassell v. Mayor of Baltimore, 195 Md. 348 (1950). (Emphasis added.)

In the Tennison case, the court found that while the appellants argued that the rezoning at issue constituted impermissible spot zoning, they had overlooked the testimony of the property owner indicating that other properties in the immediate area had been similarly rezoned. The circumstances of Tennison are unusual, however, as prior to the enactment of a comprehensive rezoning for the entire district, the landowner had requested and received approval from both the St. Mary's County Planning Commission and the County Council for a rezoning of the property from a residential district to a commercial district which permitted motels. Not only did the landowner plan to construct a Holiday Inn motel on his property, but it was a use which the community believed was badly needed in the area. In addition, at the time that the owner's application was filed, there was no comprehensive plan then in effect in St. Mary's County. Subsequently, a comprehensive plan which precluded motels in the owner's zoning district was enacted by the County. The landowner thus argued that the requested rezoning would not amount to invalid spot zoning because the change was for the public good and it was consistent with the newly enacted comprehensive plan which permitted motels in other districts. Because of these circumstances, the Court of Special Appeals determined that there was ample evidence to demonstrate that the land was rezoned due to the community's need for a motel and not solely to benefit the landowner. In addition, there was also evidence which showed that other lots in the area had been similarly rezoned. In its analysis, the court noted that "[t]he only relevant inquiries are whether the rezoning is inconsistent with the comprehensive plan and whether it was done for the public good or private benefit". Tennison at 8.

The general rule set forward in Tennison has long been followed by the courts, and must be applied with respect to Bill 19-0345. It was cited with approval by the Court of Appeals in Mayor and City Council of Rockville v. Ryllys Enterprises, Inc., 372 Md. 514, 546-47 (2002). The court there cited both Tennison v. Shomette, supra, and Cassel v. Mayor and City Council of Baltimore, 195 Md. 348 (1949), stating that spot zoning is the "arbitrary and unreasonable devotion of a small area within a zoning district to a use which is inconsistent with the use to which the rest of the district is restricted." The court also noted that "a spot zoning ordinance which singles out a parcel of land within the limits of a use district and marks it off into a separate district for the benefit of the owner, thereby permitting a use of that parcel inconsistent with the use permitted in the rest of the district, is invalid if not in accordance with the comprehensive zoning plan and is merely for private gain." Id. (Emphasis in original.) The Ryllys court also noted that if a use is permitted in a small area and is not inconsistent with the use of the larger surrounding area even though it may be different from that use, it is not spot zoning if it does not conflict with the comprehensive plan but is in harmony with the orderly growth of a new use for the other property in that locality.

Hewitt v. County Comm'rs of Baltimore County, 220 Md. 48 (1959), is also instructive. In that case, although the Court of Appeals agreed with the rationale expressed in the above-cited cases, it nonetheless stated that it has "consistently rejected spot zoning" and "has repeatedly referred to the statutory requirement ... that zoning shall be in accordance with a comprehensive plan. The Hewitt court thus ruled that the request of the owner there to rezone property located in a residential zoning district for commercial use constituted invalid spot zoning. The court found that such rezoning amounted to an arbitrary and unreasonable devotion of small area for a use inconsistent with the uses restricted to the rest of the district. As a result, the court concluded that the rezoning was for the sole benefit of the private interest of the property owner and was not in accordance with the comprehensive plan.

In this case, the properties are currently zoned C-2 and I-1. They are surrounded by R-8, M-1, C-2, OS and I-1 districts. Unlike the previous bill, 17-0149, this bill proposed to zone the properties TOD-3, instead of C-2 for both parcels. This change gives the impression that the applicant is changing the zoning to fit their latest plan. We have little knowledge of what that plan is and whether it can be characterized as for the public good or private gain and whether it is consistent with the comprehensive plan. The Planning Staff report states that the rezoning does not meet any need in the City's Plan and is not consistent with the surrounding development as it allows for greater density and building height. According to planning, the building height is not compatible with adjacent lower residential properties. In addition the TOD-3 designation is established for areas around existing and anticipated transit stations and there are no existing or proposed stations in that area that would justify the TOD -3 classification. Planning Report Page 4. The facts tend to support that this is impermissible spot zoning unless there is testimony establishing that the rezoning is for the public good.

Procedural Requirements

In addition, the Baltimore City Code, Art. 32, § 5-506 states that "The Planning Commission must consider the referred bill in a public hearing. Notice of the public hearing must be given in accordance with Title 5, Subtitle 6 {"Notices"} of this Code. Except as provided in subsection (e)(2) of this section, the hearing must be concluded no more than 60 days from the Commission's receipt of the referred bill."

§ 5-506(e) states that

"(1) If an agency fails to submit its written report and recommendations within the period specified by this section, the City Council may proceed without that report and recommendations.

(2) However, the applicant may waive this time limit and consent to an extension of the reporting period by giving written notice of the waiver and consent to the President of the City Council, with copies to the Board of Municipal and Zoning Appeals, the Planning Commission, and the Zoning Administrator."

Finally, certain procedural requirements apply to this bill beyond those discussed above because a change in the zoning classification of a property is deemed a "legislative authorization." Baltimore City Code, Art. 32, §5-501(2)(iii). Specifically, notice of the City Council hearing must be given by publication in a newspaper of general circulation in the City, by posting in a conspicuous place on the property and by first-class mail, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of the property to be rezoned. Baltimore City Code, Art. 32, §5-601(b). The notice of the City Council hearing must include the date, time, place and purpose of the hearing, as well as the address of the property and the name of the applicant. Baltimore City Code, Art. 32, §5-601(c). The posted notices must be at least 3 feet by 4 feet in size, placed at a prominent location, and at least one sign must be visible from each of the property's street frontages. City Code, Art., §5-601(d). The published and mailed notices must be given at least 15 days before the hearing; the posted notice must be at least 30 days before the public hearing. Baltimore City Code, Art. 32, §5-601(e), (f).

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for rezoning has been met and whether the rezoning amounts to spot zoning. Assuming the required findings are made at the hearing and that all procedural requirements are satisfied, including receipt of a report from the Planning Commission and facts are presented that rule out spot zoning, the Law Department could approve the bill for form and legal sufficiency.

Sincerely yours,

Elena R. DiPietro

Elena R. DiPietro
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, Mayor's Office of Government Relations
Jeff Amoros, Mayor's Legislative Liaison
Ashlea Brown, Special Solicitor
Victor Tervalo, Chief Solicitor
Hilary Ruley, Chief Solicitor
Avery Aisenstark



BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner

Date: March 29, 2019

Re: **City Council Bill 19-0345, Rezoning – 1401 Woodall Street and 1446 Stevenson Street**

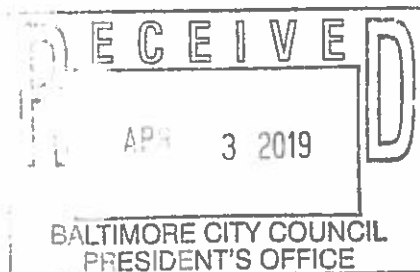
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 19-0345, for the purpose of changing the zoning for the properties known as 1401 Woodall Street and 1446 Stevenson Street (Block 2016, Lots 032 and 033) from the I-1 Zoning District to the TOD-3 Zoning District.

If this bill is enacted, the owner intends to redevelop the properties for mixed use. However, HCD has limited information regarding the details of the project.

In light of this consideration, HCD takes no position on City Council Bill 19-0345.

MB:td

cc: Mr. Jeffrey Amoros, *Mayor's Office of Government Relations*



No position



MEMORANDUM

DATE: April 1, 2019
TO: Land Use and Transportation Committee
FROM: William H. Cole, President and CEO
POSITION: Not Oppose
SUBJECT: Council Bill 19-0345 – Rezoning – 1401 Woodall Street and 1446 Stevenson Street

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0345 introduced by the Councilmember Costello, at the request of Woodall GPG, LLC.

PURPOSE

Bill 19-0345 is an ordinance for the purpose of changing the zoning for the property known as 1401 Woodall Street from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street from the I-1 Zoning 7 District to the TOD-3 Zoning District.

BRIEF HISTORY

Woodall GPG, LLC is seeking to develop a multi-story office building with community serving retail space. BDC supports a commercial development at this property and does not oppose the change in zoning.

FISCAL IMPACT

None

AGENCY POSITION

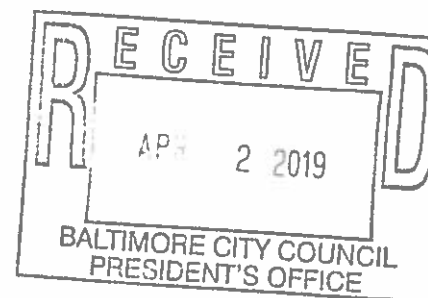
The Baltimore Development Corporation does not oppose City Council Bill 19-0345.

If you have any questions, please do not hesitate to contact Kimberly Clark at 410-837-9305 or kclark@baltimoredevelopment.com.

cc: Jeffrey Amoros

[RT]

Not opposed



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, April 3, 2019

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0345

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 6 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Leon F. Pinkett III, and Member Robert Stokes Sr.
- Absent** 1 - Member Ryan Dorsey

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0345

Rezoning - 1401 Woodall Street and 1446 Stevenson Street

For the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

Sponsors: Eric T. Costello

A motion was made by Member Clarke, seconded by Member Costello, that the bill be recommended favorably. The motion carried by the following vote:

- Yes:** 6 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, Member Pinkett III, and Member Stokes Sr.
- Absent:** 1 - Member Dorsey

ADJOURNMENT

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 19-0345

Rezoning - 1401 Woodall Street and 1446 Stevenson Street

Committee: Land Use and Transportation
Chaired By: Councilmember Edward Reisinger

Hearing Date: April 3, 2019
Time (Beginning): 1:30 PM
Time (Ending): 2:05 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~20
Committee Members in Attendance:
Reisinger, Edward, Chairman
Middleton, Sharon, Vice Chair
Clarke, Mary Pat
Costello, Eric
Dorsey, Ryan
Pinkett, III Leon
Stokes, Robert

Bill Synopsis in the file? [X] yes [] no [] n/a
Attendance sheet in the file? [X] yes [] no [] n/a
Agency reports read? [X] yes [] no [] n/a
Hearing televised or audio-digitally recorded? [X] yes* [] no [] n/a
Certification of advertising/posting notices in the file? [X] yes [] no [] n/a
Evidence of notification to property owners? [X] yes [] no [] n/a
Final vote taken at this hearing? [X] yes [] no [] n/a
Motioned by: Councilmember Clarke
Seconded by: Councilmember Costello
Final Vote: Favorable

*The hearing was recorded, but due to technical difficulties could not be retrieved from the recording device.

Major Speakers
(This is not an attendance record.)

- Mr. Eric Tiso, Department of Planning
- Mr. David Framm, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Raven Thompson, Baltimore Development Corporation
- Ms. Eleana DiPietro, Department of Law
- Ms. Tyrell Dixon, Department of Housing and Community Development
- Mr. Joseph R. Wollman, III, Esquire, representative for the applicant/property owner
- Mr. Dan Goodier, property owner

Major Issues Discussed

1. Councilmember Reisinger introduced committee members and read the bill's title, purpose and public notice certification report.
2. Councilmember Costello explained the purpose of the bill. He stated that the applicant had met numerous times with the Locust Point Civic Association and property owners about uses for the property and a Memorandum of Understanding had been drafted, but with certain restrictions, in support of Bill 19-0345. He presented a letter of support for the bill from Matt Farcosky, President of Locust Point Civic Association along with findings of fact.
3. Mr. Eric Tiso presented the Planning Commission's report which was unfavorable. One of the major concerns expressed was that the lots are adjacent to existing two-story row homes, which will be significantly impacted by the potential development made possible by TOD-3 zoning (which included buildings up to 100' in height).
4. Ms. Eleana DiPietro presented the Law Department's report which emphasized that the committee may permit the rezoning if it finds facts sufficient to show either a mistake in the existing zoning classification or a substantial change in the character of the neighborhood.
5. Mr. Joseph Wollman gave a brief history about the property. He pointed out that two of the parcels were never properly identified by the City. He handed out a photo of proposed height and massing for the site, proposed findings of facts and a photo of an aerial map of the area. The map showed that the C-2 zoning for the Woodall Street property which was directly adjacent to R-8 and I- I Zoning Districts, was an anomaly. The properties on Stevenson Street, which were directly adjacent to the Woodall Street properties were zoned I-1. The aerial photo showed that properties in the immediate adjacent area had a variety of zoning districts for the area which included R-8, I-1, MI (Maritime Industrial), C-2 and OS (Open Space). The aerial map also showed a nearby TOD-4 Zoning District. Mr. Wollman indicated that a Memorandum of Understanding had been drafted between the Locust Point Community Association, Domino Sugar and the applicant. Mr. Wollman presented proposed findings of facts. He emphasized that there had been a mistake in the zoning for the properties during the City's comprehensive zoning process.
6. Mr. Dan Goodier testified in support of the bill.
7. Agency representatives presented their agency's report.

- 8. The committee voted to accept the findings.
- 9. The committee voted to recommend the bill favorable.
- 10. The hearing was adjourned.

Further Study

Was further study requested?
If yes, describe.

Yes No

Committee Vote:

Reisinger, Edward, Chairman.....	Yea
Middleton, Sharon, Vice Chair.....	Yea
Clarke, Mary Pat.....	Yea
Costello, Eric.....	Yea
Dorsey, Ryan.....	Absent
Pinkett, Leon.....	Yea
Stokes, Robert:.....	Yea

Jennifer L. Coates, Committee Staff



Date: April 3, 2019

cc: Bill File
 OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: April 3, 2019

Time: 1:10 p.m.

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Rezoning - 1401 Woodall Street and 1446 Stevenson Street

CC Bill Number: 19-0345

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	St. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MATTHEW	FINECKEY	1419	LORDMAD ST / LPCA	21230	mt@nhelpco.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: April 3, 2019

Time: 1:10 p.m.

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Rezoning - 1401 Woodall Street and 1446 Stevenson Street

CC Bill Number: 19-0345

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Joe	Goodman		111 S. Calvert St. Sk 11	21202	Joe@jrgoodman.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dan	Goodier		1414 Key Hwy/Goodier	21204	Dan@Goodier.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.



CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation

Chairperson: Edward Reisinger

Date: April 3, 2019

Time: 1:10 p.m.

Place: Clarence "Du" Burns Chambers

Subject: Ordinance - Rezoning - 1401 Woodall Street and 1446 Stevenson Street

CC Bill Number: 19-0345

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	St. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY		WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST? ARE YOU REGISTERED IN THE CITY
						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Raven	Thompson		BDC			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730. FAX: 410-396-8483.

LOCUST POINT



CIVIC ASSOCIATION

PRESIDENT
MATT FARCOSKY

VICE PRESIDENT
KATE MCCOMISKEY

CORRESPONDING SECRETARY
GINNY RAJNES

RECORDING SECRETARY
JUSTIN GROSSMAN

TREASURER
SARAH SWIGER

BOARD OF DIRECTORS

WILL JOVEL
DAMIAN O'CONNOR
CAITLIN REGAN
JOHN SHEA
BRIAN MCHALE
JESSICA AMINZADEH
COREY BENEDICT
MIKE ZAKRJEWSKI
TIM HOY
EMILY PATTERSON

April 3, 2019

Councilman Eric Costello
100 Holliday St.
Baltimore, MD 21202

RE: Bill 19-0345; 1401 Woodall St. Rezoning

Councilman,

At a special meeting called by the general membership of the Locust Point Civic Association, and conducted on March 18, 2019, a vote was taken resulting resulting in support for Bill 19-0345 or any newly introduced City Council Bill authorizing the resoning of the property and creating a TOD-3 zoning classification for the project.

This letter is being sent as required by of a Memorandum of Understanding to be attached to the project signed April 2, 2019.

Sincerely,



Matt Farcosky
President, Locust Point Civic Association

received
4/3/19
From cc. Costello

Dated: April __, 2019

AMERICAN SUGAR REFINING, INC.

By: _____ (SEAL)

Name: _____

Title: _____

STATE OF
COUNTY OF

: ss

:

On this the __ day of April 2019, before me, the undersigned, a Notary Public of the State of _____, personally appeared _____, who acknowledged himself/herself to be the _____ of American Sugar Refining, Inc., and that he/she, in such capacity, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing his/her name as set forth above.

IN WITNESS MY Hand and Notarial Seal.

[SEAL]

Notary Public

My Commission Expires: _____

ATTORNEY CERTIFICATION

This is to certify that this Memorandum of Understanding was prepared by or under the supervision of the undersigned, an attorney at law duly admitted to practice before the Court of Appeals of Maryland.

received
4/3/19 JLC



10/10/2020

MEMORANDUM OF UNDERSTANDING
1401-07 Woodall Street and 1446 Stevenson Street

This Memorandum of Understanding (this "Memorandum") is made and entered into this 3rd day of April, 2019, by and between Woodall GPG, LLC, a Maryland limited liability company (hereinafter, "GPG"), the Locust Point Civic Association, Inc., a Maryland non-stock corporation (hereinafter the "LPCA"), and American Sugar Refining, Inc. (hereinafter "ASR") (collectively, the "Parties").

WHEREAS, GPG is the owner and developer of an office project (hereinafter, the "Project"), located on three lots on Stevenson and Woodall Streets and Key Highway in Baltimore, Maryland as depicted in Exhibit A, attached hereto; and

WHEREAS, GPG desires to develop the Project to include a non-residential mixed-use building and parking garage; and

WHEREAS, the LPCA is a non-profit 501(c)(3) organization created to promote and protect the common interests of the residents of Locust Point; and

WHEREAS, ASR is the owner of property on Key Highway (the "ASR Property") in the immediate proximity to the Project; and

WHEREAS, ASR currently operates a refining, processing, packaging, and storage of sugar and sugar-related products facility which operates on a 24/7 basis and which, among other things, includes the operation of an electrical co-generation system on the ASR Property and the unloading of raw sugar from ships (the "ASR Facility"). The ASR Facility, also known as the Domino Sugar Baltimore Refinery, has been in continuous operation since 1922. Today, this 24/7 maritime industrial facility employs 500 employees who produce more than 6 million pounds of sugar a day. The Baltimore Refinery receives raw sugar on 44 vessels a year and generates more than 33,000 truck trips and 1,100 rail car shipments annually; and

WHEREAS, ASR has raised concerns that, due to the noise, air emissions, and odor, emanating from the ASR Facility, ASR's current and future operations may adversely impact occupants and visitors to the Project; and

WHEREAS, GPG, ASR, and the LPCA desire to create circumstances that contribute to the mutual use and enjoyment of land in the neighborhood, by all owners and tenants, under residential, commercial, and industrial uses, and

WHEREAS, the LPCA and ASR have agreed to support the Project, including the passing of rezoning legislation, including City Council Bill 19-0345 or any newly introduced City Council Bill authorizing the rezoning of the property depicted in Exhibit A to a transit-oriented

development ("TOD-3") zoning classification pursuant to Article 32 of the Baltimore City Code under the terms and conditions set forth herein; and

WHEREAS, GPG agrees to the terms and conditions set forth in this Memorandum.

NOW THEREFORE, in consideration of the foregoing recitals, the mutual promises and commitments contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. The Recitals set forth above are incorporated into and made a part of this Memorandum by reference as if more fully set forth hereinafter.

2. The LPCA shall send a letter not later than the 3rd day of April, 2019 to the Baltimore City Council and the Maryland State delegation in support of rezoning Bill 19-0345 or any newly introduced City Council Bill authorizing the rezoning of the property and creating a TOD-3 zoning classification for the Project.

3. GPG shall agree to the following massing of the Project as depicted in Exhibit B attached hereto:

- a. The proposed office building will include a 24' step back above the second floor and an additional step back of 12' above the fourth floor for the entire 51'10" frontage on the side of the site facing Woodall Street; and
- b. The proposed office building will include a 110' step back above the third floor on the side of the site facing Stevenson Street, starting at the lot line between 1448 and 1446 Stevenson Street, extending northeast along the Stevenson Street frontage for 110', across the entire 72' 9" depth of the Stevenson Street portion of the site; and
- c. The frontage of the proposed office building along Stevenson Street will align with the existing rowhome at 1448 Stevenson Street in distance from curb to front wall; and
- d. The proposed office building will be no more than nine (9) stories in the portion of the Project not restrained by step backs. Notwithstanding any amendments that may be made to the Zoning Code of Baltimore City following the Effective Date hereof, the proposed office building height shall not exceed 100' in height to the highest finished floor. The number of usable square feet of the office/retail building shall not exceed 60,000 feet as measured and calculated by BOMA Standards.

4. To the extent that GPG does not move forward with an off-site parking alternative, GPG is considering a two-level above grade and two-level below grade parking lot to be constructed on the Stevenson Street portion of the Project, and GPG agrees to the following regarding the ingress/egress plan for the Project, as depicted in Exhibit C attached hereto:

- a. Parking ingress for the lower portion of the garage structure will be from Stevenson Street with egress into the adjacent alley between Stevenson and Woodall and further

- onto Woodall Street along the alley that runs east-west and is adjacent to 1425 Woodall Street, subject to the approval of the Baltimore City Department of Transportation (“DOT”). In the event that the total number of parking spaces in the lower portion of the parking structure does not exceed 24 standard sized spaces, then egress from the lower portion of the parking structure will be onto Stevenson Street; and
- b. Parking ingress and egress for the upper portion of the garage structure will be from and onto Stevenson Street; subject to the approval of DOT; and
 - c. In the event that the lower parking garage egress goes through the adjacent alley to Woodall Street, GPG will construct at its sole cost and expense mutually agreed upon curbing or a berm, designed to drive traffic north on Woodall Street from the alley parking garage exit to Key Highway, subject to approval by DOT; and
 - d. In the event that the lower parking garage egress goes through the adjacent alley to Woodall Street, the section of Woodall Street from this curbing or berm starting at the southerly edge of the intersection with the adjacent alley, to its northerly intersection with Key Highway East, will have a single northbound lane created, implementing two-way traffic on that section of Woodall Street only, subject to approval by DOT. The remaining portion of Woodall Street would remain as-is one way south, subject to the approval of DOT; and
 - e. In the event that the lower parking garage egress goes through the adjacent alley to Woodall Street, the former traffic signal at the intersection of Key Highway East and Woodall Street controlling northbound traffic from Woodall Street will be reactivated with a left-turn arrow, designed to encourage traffic west on Key Highway East toward Key Highway, subject to approval by DOT, and signage prohibiting right turns onto Key Highway East by northbound traffic on Woodall Street during the red light signal will be installed at the same intersection, subject to approval by DOT; and
 - f. As of the date of this Memorandum, GPG does not anticipate that the on-site parking plan described in this paragraph will affect existing parking availability on the northwest portion of Woodall Street.

5. GPG shall have the right, at its sole discretion, to secure off-site parking for the project (“Off-Site Parking Alternative”). Such Off-Site Parking Alternative shall either be owned or under one or more long-term lease agreement(s) held by GPG or an affiliated entity controlled by GPG. Regardless of whether such Off-Site Parking Alternative is owned or leased, it shall serve the Project for a period of not less than twenty-five (25) years. For the avoidance of doubt, the Off-Site Parking Alternative may be relocated, at GPG’s sole discretion, within such twenty-five- (25-) year period, subject to the restrictions set forth in this paragraph. Any long-term lease, or the deed for the property, as appropriate, shall indicate that its use is restricted to providing parking for the Project. Furthermore, the ingress and egress of such Off-Site Parking Alternative shall be within a one-quarter-mile radius of any portion of the Project site, and all parking spaces within such Off-Site Parking Alternative shall be within one-half-mile of the entrance to the Project. Notwithstanding the foregoing, the Parties agree that the Off-Site Parking Alternative may be located at 1321 Key Highway, Baltimore, Maryland 21230, the entrance to which is more than one-quarter-mile from the Project. The sum total of the parking spaces to be dedicated to

the Project will be 91 parking spaces, to be split between the Off-Site Parking Alternative, if secured by GPG, and the on-site parking garage for the twenty-five (25) year period, after which the sum total of parking spaces dedicated to the project will be subject to all applicable laws and regulations currently in effect. GPG shall have the right to relocate any or all of the required parking spaces for the Project to the Off-Site Parking Alternative location, except for the thirty (30) spaces provided to residents in the on-site garage pursuant to paragraph (8) hereof. For the avoidance of doubt, the Parties understand and acknowledge that the Off-Site Parking Alternative will significantly reduce, though not eliminate, the need for excavation to complete the Project.

6. GPG agrees that the Project will be subject to the restrictive covenants that bind the use of the Project by GPG and its successors and assigns, as follows. The Project shall be used only for office purposes with retail and structured parking. Guests and customers of office and retail tenants shall be permitted and encouraged to park on-site. Furthermore, no portion of the Project shall be used for any of the following uses:

- Dwellings (any)
- Residential Care Facility (any)
- Community Center
- Cultural Facility
- Educational Facility (*except between the hours of 7 a.m. – 6 p.m. Monday – Friday*)
- Homeless Shelter
- Place of Worship
- Animal Clinic
- Banquet Hall
- Entertainment (any)
- Health-Care Clinic
- Health Center
- Hotel or Motel
- Kennel
- Lodge or Social Club
- Outdoor Dining
- Recreation: Indoor
- Restaurant (*except for two (2) sites within the building not to exceed 3,250 square feet each; provided, however, that operating hours must be limited to 7 a.m. – 6 p.m. Monday – Sunday, and that alcohol must not be sold or served on the premises*)
- Retail Goods Establishment (With Alcoholic Beverage Sales)
- Tavern
- Telecommunications Facility (*unless located on the roof of the tallest part of the Project at a height of 10' or less*).

7. In the event that GPG sells the Project, the deed of conveyance of the Project shall contain a restriction that no building outside of the envelope agreed to herein shall be allowed on

the property. This restriction shall also be applicable in the event that the owners of GPG sell all or substantially all of the equity interests in GPG to a non-affiliate.

8. Upon initial occupancy of completed Project, GPG agrees to provide thirty (30) overnight parking spaces in the garage to be built as part of the Project, for residents of the neighborhood and their guests, usable Monday through Friday between the hours of 7 p.m. to 7 a.m. For avoidance of doubt, the thirty (30) spaces will be on-site regardless of whether GPG secures any Off-Site Parking Alternative location. GPG reserves the right to control access to these spaces and to enforce parking rules. The LPCA will implement a system to determine which residents may use the designated parking spaces. GPG may require that any resident using the provided parking sign a parking agreement which shall include all rules and regulations, as well as indemnification of GPG for any and all responsibility from parking use. Any and all ancillary costs above standard operation costs associated directly and exclusively with residents' use of the parking structure will be borne by residents. Nothing in this paragraph shall be construed to imply that residents may at any time in the future be required to pay for the limited rights granted hereunder to park in the on-site garage. GPG may require that all parking users provide at a minimum certain contact information, including name, address, email address, phone number, and vehicle information, in order to obtain either an access fob or a resident parking permit.

9. All Parties will support Residential Parking Permit Legislation (RPP), for Woodall Street, Stevenson Street, and the 1000-1200 blocks of East Fort Avenue, if the residents of such streets demonstrate reasonable support for such RPP Legislation on their behalf.

10. To the greatest extent possible, construction of the Project shall not involve any pile driving or certain other vibratory compaction methods (specifically, motorized, machine-operated vibratory rollers, and motorized, machine-operated plate compactors, collectively referred to hereinafter as "Vibratory Compaction Methods"). If pile driving or Vibratory Compaction Methods are deemed necessary, GPG shall take measures to ensure such work is completed as expeditiously as possible, and GPG shall provide to the other Parties at least seven (7) calendar days' advanced notice (email notice to be deemed sufficient). In addition, GPG shall require all contractors to be properly trained and licensed for any equipment they operate, and to abide by all relevant terms of this Memorandum. Further, any pile driving work can only be performed between the hours of 9 a.m. and 5 p.m., Monday through Friday, and any Vibratory Compaction Methods may only be performed 7 a.m. to 7 p.m., Monday through Friday.

11. During demolition and construction, GPG or its contractor agrees to perform regular dust control as needed and daily cleanup of any construction debris or runoff in the public right of way.

12. At the commencement of construction, GPG agrees to install physical barricades ("Jersey Wall" sections or equivalent) in a "choker" configuration projecting inward and orthogonal from both curbs, aligned with the respective southern edges of the Property on each

street, in order to narrow Woodall and Stevenson Streets so construction traffic does not use these streets as a pass through. GPG shall post and maintain signs posted on barricades stating NO TRUCKS OVER ¾ TON allowed. GPG shall also direct its contractors to exclusively use Key Highway East for access to and from the site, and not to drive construction or personal vehicles on Woodall and Stevenson Streets beyond the choker boundaries; all installations and signage pursuant to this provision are subject to the approval of DOT. GPG shall use best efforts to minimize use of parking spots located on the streets to maintain as many parking spots for residents as possible during construction of the Project.

13. GPG shall engage, at its sole cost and expense, an independent structural engineer who is professionally licensed to practice ("Professional Engineer") in the State of Maryland to perform pre- and post-construction structural examinations, if agreed to by the homeowner and subject to a standard written legal agreement (the "Homeowner Agreement"), of the structures located at the following list of addresses (the "Homes"), and shall provide them to each property owner, the LPCA, and ASR upon completion of each round of inspection. The Professional Engineer will also confirm in writing whether the below list of Homes sufficiently accounts for the Project's anticipated zone of influence; the determinations of the Professional Engineer shall assume that pile driving or Vibratory Compaction Methods (as defined above) will be used, unless GPG is able to confirm in advance that no such methods will be used throughout the Project. Any pre-construction structural examinations must be completed prior to the start of excavation, but must take into account whether the Off-Site Parking Alternative will be implemented. Should Professional Engineer confirm that any of the following list of houses is outside of the Project's zone of influence, such houses will be removed from the following list. GPG or its prime Contractor shall execute the Homeowner Agreement with each willing owner of the Homes, listed below, as such list may be modified in accordance with the findings of the Professional Engineer. Terms and conditions to be agreed upon within such Homeowner Agreement are set forth in Exhibit D to this Memorandum, attached hereto and incorporated herein by reference. Homes owned by those who chose to not execute the Homeowner Agreement are not subject to the provisions of this paragraph of the Memorandum.

The Homes shall include the houses at the following addresses, provided that the applicable property owner for each of the Homes is willing to enter into the Homeowner Agreement:

1425 Woodall Street
1427 Woodall Street
1429 Woodall Street
1431 Woodall Street
1433 Woodall Street
1435 Woodall Street
1437 Woodall Street
1439 Woodall Street
1441 Woodall Street
1443 Woodall Street

1445 Woodall Street
1447 Woodall Street
1449 Woodall Street
1451 Woodall Street
1453 Woodall Street
1448 Stevenson Street
1450 Stevenson Street
1452 Stevenson Street
1454 Stevenson Street
1456 Stevenson Street

Should GPG move forward with the Off-Site Parking Alternative and confirm that no pile driving or Vibratory Compaction Methods (as defined above) will be used during the development of the Project, the list of Homes will be revised and limited to include the following properties; provided, however, that the Professional Engineer is able to confirm that the below list of Homes sufficiently accounts for the Project's anticipated zone of influence. Should Professional Engineer confirm that any of the following list of houses is outside of the Project's zone of influence, such houses will be removed from the following list:

1448 Stevenson Street
1450 Stevenson Street
1425 Woodall Street
1427 Woodall Street
1429 Woodall Street
1431 Woodall Street
1433 Woodall Street
1435 Woodall Street
1437 Woodall Street
1439 Woodall Street
1441 Woodall Street
1443 Woodall Street
1445 Woodall Street
1447 Woodall Street

14. Either GPG or its contractor shall provide insurance naming the LPCA and the owners of the properties listed above as the Homes as additional insureds, in the amount of \$500,000 per property, and \$5,000,000 in the aggregate, against any damage to said structures that is shown to have been caused by the construction of the Project.

If 1448 Stevenson Street, or any additional adjacent rowhome properties that GPG may come to own, are destroyed or condemned as a result of the Project construction process, then GPG must rebuild those properties, for residential use only, matching the previous structure and construction type as much as possible.

15. GPG shall provide to the LPCA and ASR a reasonable construction staging plan including details regarding full or partial road closures, parking plans, and plans for the loading and unloading of equipment and materials with as much advance notice as possible. GPG shall also provide to the LPCA and ASR a list and plan for any underground encroachments into adjacent property or public right of way. GPG shall use reasonable efforts in its planning to minimize disruption to the community. In addition, GPG shall at all times maintain a clear access width of at least 6' in all rear alleys to provide access for fire department, sanitation service, and property owners. Dumpsters shall be located toward the northeast corner of the Project away from residential properties, and shall not encroach onto public right of way as much as possible. LPCA shall be given an opportunity to meet with the construction foreman prior to the commencement of construction of the Project to discuss its concerns related to plans and details related to such construction.

16. At the completion of major construction activities, GPG shall comply with the requirements of DOT to repair any damage caused by the development of the Project, including repaving, if necessary, portions of the 1400 blocks of Woodall and Stevenson Streets. GPG shall use reasonable efforts to avoid repaving in patches. Additionally, GPG shall repair or replace all damaged sidewalks and alley paving immediately adjacent to the Project, as well as repair any damage to other sidewalks or rights of way, including Stevenson and Woodall Streets, near adjacent properties that occurred as the result of construction.

17. Related to its use of the alley adjacent to 1425 Woodall Street as an egress, GPG shall repave the alley from the exit of the garage to Woodall Street. In addition, GPG shall install, at its own cost, a motion sensor system at the exit of the garage and/or in the alley using lights or similar noiseless indicators to alert pedestrians to exiting traffic.

18. GPG understands and agrees that trash and recycling trucks from the Baltimore City Department of Public Works will be permitted to enter the alley adjacent to 1425 Woodall Street for the collection of trash and recyclables.

19. GPG shall provide promptly to the LPCA and ASR the applicable website that can be used to access all reports and correspondence that GPG receives from the Maryland Department of the Environment and all other reports and correspondence regarding environmental concerns for the Project.

20. As directed by the LPCA, GPG and its Contractor foreman and/or superintendent shall meet with either the LPCA Board or the Design Review Committee at least once every four (4) months during the construction process, unless mutually agreed upon by the LPCA and GPG to meet less frequently, to review any community concerns arising in connection with the Project. The first such meeting shall occur within four (4) months of the Effective Date hereof.

21. GPG may include, as design elements in the construction of the office building, any balcony, rooftop deck, or patio; provided, however, that there shall be no permanent structures on the step backs referenced in paragraph (3(a)). Notwithstanding the foregoing, GPG shall install a mutually agreed upon soundproof barrier on the side of each balcony that abuts Key Highway East. If a balcony is built on an angle to Key Highway East, such a barrier shall be constructed on each side of such balcony that abuts Key Highway East. The material and composition of such barriers must be deemed acceptable by GPG, ASR and the LPCA prior to installation.

22. GPG recognizes the historic and current existence, use, and occupancy of the ASR Facility as set forth in the recitals to this Memorandum. GPG also recognizes that the operation of the ASR Facility may be expanded beyond its current operation. GPG hereby waives all claims and causes of action, including without limitation, nuisance and other claims, against the ASR Facility and its owners and each of their successors and assigns, and releases ASR and its owners and each of their successors and assigns from any liability, arising out of permitted ASR Facility operations undertaken by or on behalf of ASR and provided such operations are carried out in compliance with all applicable laws, ordinances, or regulations except (a) relating to vehicular accidents on the part of ASR, or its agents, servants, and/or employees, or (b) upon violation of a law by ASR or its agents, servants, or employees or (c) Any occurrences involving negligence or willful misconduct on the part of ASR, or its agents, servants, and/or employees, provided that in no event shall the owners of the ASR Facility or their successors and assigns have any liability to GPG arising from noise, air emissions, and odor, emanating from the ASR Facility if the ASR Facility is in compliance with all applicable laws, ordinances, or regulations. GPG and its successors and agrees not to seek any statutory, regulatory, or policy changes that would alter the operating hours of the ASR Facility, alter or eliminate designated truck routes near the ASR Facility, or alter any limitation on the ways in which the ASR Facility is required to be operated, from the ways in which it was permitted to operate as of the date of this Memorandum.

23. GPG and its successors, assigns, and tenants shall include the paragraph entitled "Disclosure" as set forth in Exhibit E, which is attached hereto and incorporated herein, verbatim in every lease and every tier sublease and in every instrument of conveyance for all or any part of the Project. Neither GPG nor its successors or assigns shall approve a sublease to which it is a party for all or any part of the Project, or an assignment of a lease for all or part of the Project, that does not include the paragraph set forth in Exhibit E verbatim.

24. At least ten (10) business days before GPG submits its plans for any Site Plan Review, Urban Design and Advisory Panel review, or Building permit, GPG shall provide such plans to the LPCA and ASR. LPCA or ASR must notify GPG in good faith within five (5) business days after GPG has provided such plans to the LPCA and ASR if such plans are perceived to violate any aspect of this Memorandum. Should GPG fail to meet with the LPCA or ASR to address the perceived violation and attempt to remedy it, before submitting such material plans to the governmental agency, then either the LPCA or ASR may, acting individually or collectively, inform the governmental agency of relevant provisions of this Memorandum and otherwise attempt to obtain the benefits of this Memorandum.

25. The Parties agree to cooperate with each other in good faith in the resolution of any complaints arising out of this Memorandum and shall use commercially reasonable efforts to resolve any dispute amicably. Any dispute between or among the Parties arising out of or relating to this Memorandum or its breach that cannot be resolved within thirty (30) calendar days of written notice of the existence of a dispute will be subject to mandatory non-binding mediation before a mediator mutually selected by the Parties. If the Parties are unable to mutually agree on the selection of a mediator, then the Parties agree to conduct such non-binding mediation through mediation procedures administered by JAMS, which shall select the mediator. Such mediation shall take place in Baltimore, Maryland, at a place, date and time agreed to by the Parties or, in the absence of such agreement, at a place, date and time determined by and through JAMS. GPG shall pay the cost of one mediation per year (i.e., composed of up to two (2) sessions annually, as set forth below), and each Party shall each bear its own associated costs. In the event that there is more than one dispute in any one-year period between the Parties that requires mediation, any Party may bring an action in the Circuit Court for Baltimore City to enforce this Memorandum. Upon the resolution of the dispute(s) by the Circuit Court (or upon the final decision of an appellate court, if an appeal is taken), the non-prevailing Party shall reimburse the prevailing Party for reasonable legal fees and costs incurred by the prevailing Party in both the mediation and the court action, up to a maximum of \$15,000.

26. This Memorandum is contingent upon the passage of rezoning legislation, including City Council Bill 19-0345 or any newly introduced City Council Bill authorizing the rezoning of the property depicted in Exhibit A to a TOD-3 zoning classification pursuant to Article 32 of the Baltimore City Code, enabling the construction of the Project and subsequent building permits for the same. Neither the LPCA, as a body, nor ASR, shall take action to delay or disrupt the Project following the execution of this Memorandum if the Project proceeds strictly in accordance with the provisions of this Memorandum. The rezoning legislation shall be passed by July 31, 2019, such date to be extended, if necessary, by mutual agreement of the Parties. Following any rezoning which occurs, GPG shall not seek to have any subsequent legislation introduced in order to revert or modify the zoning of the property without the prior written consent of the Parties.

27. All notices regarding this Memorandum shall be delivered to the other Parties by United States certified mail with return receipt requested and by electronic mail to the addresses set forth below:

If to GPG:

Dan Goodier
1414 Key Highway, Suite 300A
Baltimore, MD 21230
E-mail: dan@goodier.com

If to the LPCA:

Locust Point Civic Association, Inc.
c/o Matt Farcosky
841 E. Fort Avenue, Unit 210
Baltimore, MD 21230
E-mail: contacts@mylocustpoint.org or mtf@fleetpro.com

If to ASR:

Armando A. Tabernilla, Esq.
Vice President & General Counsel
American Sugar Refining, Inc.
One North Clematis Street
Suite 200
West Palm Beach, FL 33401
E-mail: aat@fcsugar.com

28. This Memorandum may not be modified or amended except in writing and signed by the Parties hereto.

29. This Memorandum shall be construed, interpreted, and enforced according to the laws of the State of Maryland.

30. This Memorandum shall be promptly recorded by GPG among the Land Records of Baltimore City, and the covenants, conditions, and agreements set forth herein shall run with the land and be binding on and inure to the benefit of all successors and assigns of the Parties. All costs relating to the recordation of this Memorandum shall be paid by GPG, and GPG shall provide to the LPCA and ASR a copy of the recorded Memorandum within five (5) business days of recordation.

31. Although this document is titled Memorandum of Understanding, the Parties intend that its terms, conditions, rights, and obligations shall be fully binding on and inure to the benefit of the Parties hereto and on their respective successors and assigns as if they had been original signatories hereto. GPG and any of its successors, assigns, subsidiaries, or related organizations having any interest in the properties shall be bound by the terms and conditions of this Memorandum. The LPCA may assign or transfer any rights or privileges contained in this document to another entity, successor, assign, or related organization, with the consent of GPG, such consent not to be unreasonably withheld. The rights of ASR hereunder shall inure to the successors and assigns of ASR.

32. This Memorandum may be executed in several counterparts, each of which is deemed an original, but all of which constitute one and the same instrument.

33. This Memorandum contains the entire agreement between the Parties hereto with respect to the subject matter hereof, and any agreement hereafter or heretofore made shall not operate to change, modify, terminate, or discharge this Memorandum in whole or in part unless such agreement is in writing and signed by each of the Parties hereto. The Parties have made no representations or promises with respect to this Memorandum except as are herein expressly set forth.

34. This Memorandum relates only to the subject matter hereof; the Parties anticipate that other concerns may arise throughout the development of the Project. If and at such time as the Parties wish to resolve such potential issues, they shall do so by negotiating in good faith and entering into subsequent memoranda of understanding.

35. This Memorandum does not include all requirements, limitations, and conditions with respect to the development of the Project. There are numerous federal, state, and local laws, ordinances, regulations, and policies that are not set forth in this Memorandum with which GPG will need to comply in order to develop the Project.

36. GPG, ASR, and the LPCA shall be entitled to all remedies at law and in equity to enforce the provisions of this Memorandum. GPG, ASR, and the LPCA acknowledge and agree that there are no adequate remedies at law for the violation of many of the provisions of this Memorandum, and that, therefore, the remedies of injunction, specific performance, and other equitable remedies shall be liberally provided, and the Party seeking to enforce a remedy will not be required to post any bond in connection with any claim to such injunctive relief.

37. If any term or other provision of this Memorandum is determined by a court of competent jurisdiction to be invalid, illegal, or incapable of being enforced by any rule of Law or public policy, all other terms, provisions, and conditions of this Memorandum shall nevertheless remain in full force and effect. Upon such determination that any term or other provision is invalid, illegal, or incapable of being enforced, the parties hereto shall negotiate in good faith to modify this Memorandum so as to effect the original intent of the Parties as closely as possible to the fullest extent permitted by applicable Law in an acceptable manner such that each of the original intentions hereof is fulfilled to the extent possible.

[Signature pages follow.]

IN WITNESS WHEREOF, the Parties have duly executed this Memorandum by their hands and under seal affixed hereto as of the day and year first above written.

Dated: April __, 2019

WOODALL GPG, LLC

(SEAL)

By: Dan Goodier

Title:

STATE OF : ss
COUNTY OF :

On this the __ day of April, 2019, before me, the undersigned, a Notary Public of the State of _____, personally appeared _____, who acknowledged himself to be the representative of Woodall GPG, LLC, and that he, in such capacity, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing his name as set forth above.

IN WITNESS MY Hand and Notarial Seal.

[SEAL]

Notary Public

My Commission Expires: _____

Dated: April 2, 2019

LOCUST POINT CIVIC ASSOCIATION, INC.


 _____ (SEAL)
 By: Matthew Farcosky
 Title: President

STATE OF MARYLAND : ss
 COUNTY OF BALTIMORE CITY :

On this the 2nd day of April, 2019, before me, the undersigned, a Notary Public of the State of Maryland, personally appeared Matthew Farcosky, who acknowledged himself to be the President of LOCUST POINT CIVIC ASSOCIATION, INC., and that he, in such capacity, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing his/her name as set forth above.

IN WITNESS MY Hand and Notarial Seal.


 _____ [SEAL]
 Notary Public

My Commission Expires: 1/9/2021

KRISTI LEE FILLER
 Notary Public - State of Maryland
 Baltimore County
 My Commission Expires Jan 9, 2021



EXHIBIT A

Description of the Property

1401-07 Woodall Street – Baltimore, MD 21230
Ward 24 Section 10 Block 2016 Lots 074 and 032

ID# 24-10-2016-074:

Beginning for the first thereof on the southeast side of Woodall Street, formerly Allen Street, at the distance of four hundred and fourteen feet two inches northeasterly from the corner of the northeast side of Fort Avenue and the southeast side of Woodall Street; and thence northeasterly on the southeast side of Woodall Street fifty-one feet ten inches, more or less, to the corner formed by the intersection of the southeast side of Woodall Street and the southwest side of Clement Street; and thence southeasterly on the southwest side of Clement Street one hundred and fifty-five feet six inches to the corner formed by the intersection of the southwest side of Clement Street and the northwest side of Stephenson Street; and thence southwesterly on the northwest side of Stephenson Street, fifty-one feet ten inches, more or less to a point where a line drawn from the place of beginning at right angles to Woodall Street and parallel with Clement Street would intersect the northeast side of Stephenson Street; and thence northwesterly binding on said line to the place of beginning.

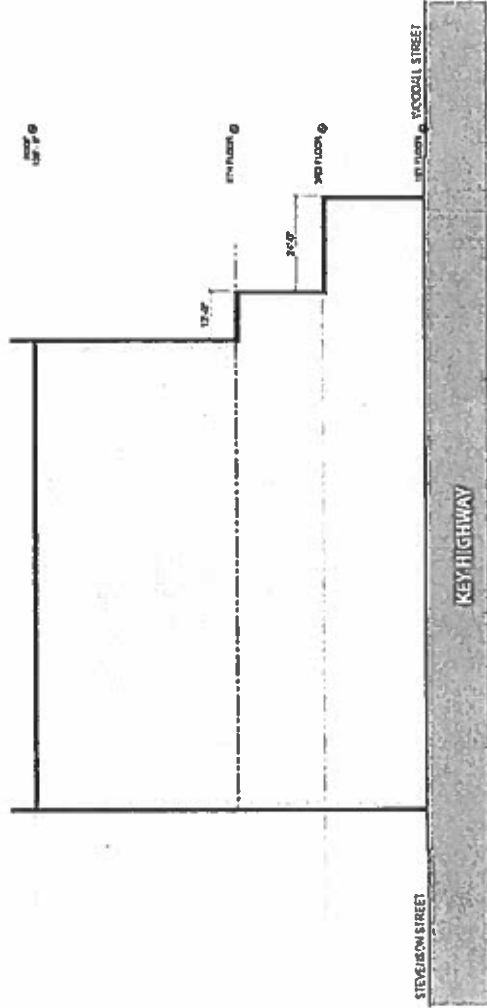
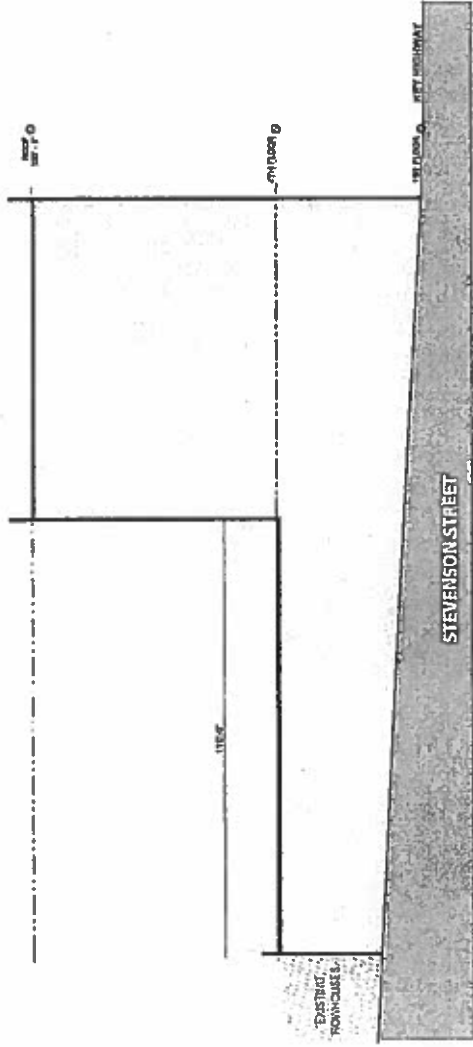
ID# 24-10-2016-032:

Beginning for the Second thereof on the northwest side of Stevenson Street, at a point distant three hundred and forty feet six inches from the northeast side of Fort Avenue; and running thence northeasterly on the northwest side of Stevenson Street seventy-three feet eight inches to the end of the third line described in a lease dated January 20, 1900, and recorded among the Land Record of Baltimore City in Liber R.O. No. 1832, folio 13, etc. from David M. Newbold et al, to James McCoy; thence northwesterly and binding on said third line aforesaid seventy-two feet nine inches to the southeast side of an alley ten feet wide there situate; thence southwesterly and binding on the southeast side of said ten foot alley, with the use thereof and of the other alleys therewith connected in common seventy-three feet eight inches; and thence southeasterly seventy-two feet nine inches to the place of beginning.

1446 Stevenson Street – Baltimore, MD 21230
Ward 24 Section 10 Block 2016 Lot 033
ID# 24-10-2016-033

Beginning for the Third thereof on the northwest side of Stevenson Street (sometimes called Stephenson Street) at the distance of 275 feet 6 inches Northeasterly from the corner formed by the intersection of said Northwest side of Stevenson Street with the Northeast side of Fort Avenue and running thence northeasterly binding on the Northwest side of Stevenson Street, 65 feet, thence northwesterly parallel with Fort Avenue, 72 feet 9 inches to the Southeast side of an alley ten feet wide there situate thence southwesterly binding on the southeast side of said alley with the use thereof in common, and parallel with Stevenson Street 65 feet and thence southeasterly, parallel with Fort Avenue, 72 feet 9 inches to the place of beginning, containing 4728.75 square feet. The improvements thereon being known as no. 1446 Stevenson Street.

Exhibit B
Depiction of the Massing of the Project



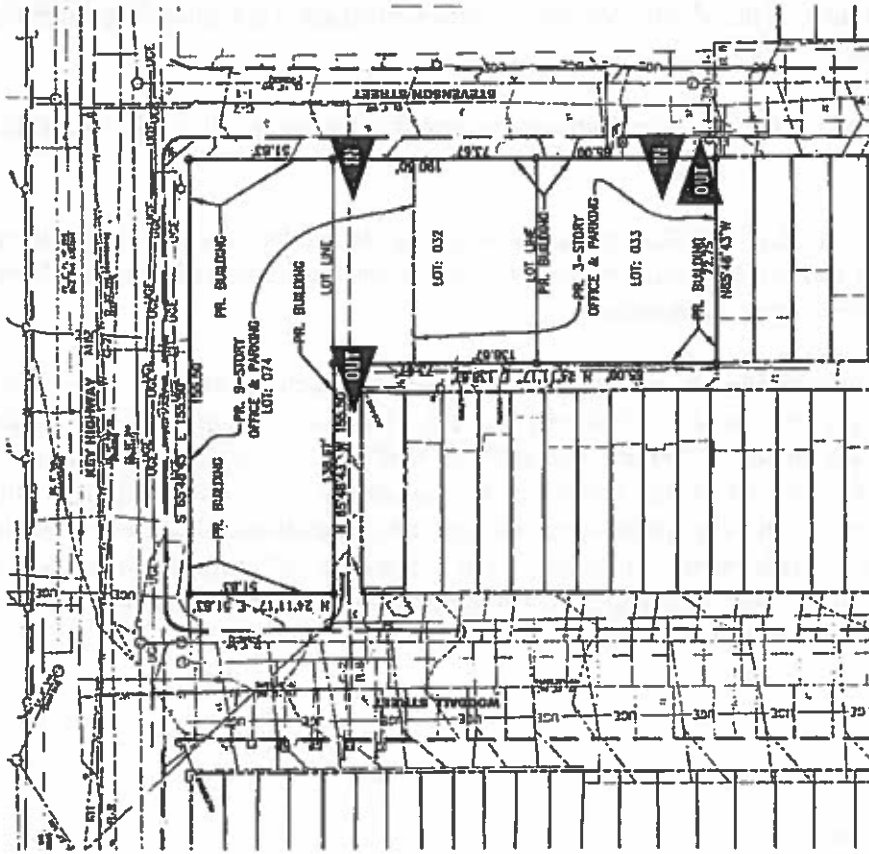
DATE: 03/01/2019
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: 1400 WOODALL STREET
 SHEET: EXHIBIT B: BULK MASSING

1400 WOODALL OFFICE BUILDING
 EXHIBIT B: BULK MASSING
 03/01/2019

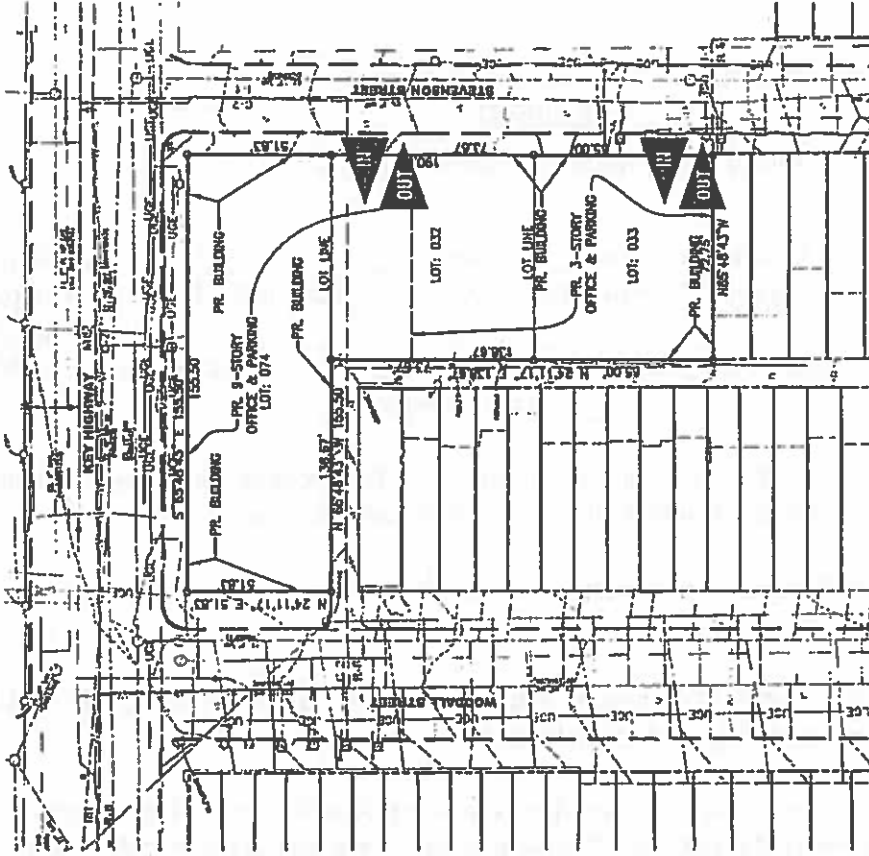
MOSELEYARCHITECTS

Goodier

Exhibit C
Ingress / Egress Plan for the Project



PLAN A: ALL PARKING ON-SITE



PLAN B: LIMITED ON-SITE PARKING; BULK PARKING OFF-SITE

Note: Site Access is Subject to DOT Approval

1400 WOODALL OFFICE BUILDING
 EXHIBIT C: VEHICULAR MOVEMENTS
 03/01/2019

MOSELEYARCHITECTS

Goodier

These drawings were prepared by the undersigned for the purpose of showing the proposed location of the building and parking areas. The location of the building and parking areas is subject to the approval of the City of Dallas. The location of the building and parking areas is subject to the approval of the City of Dallas.

Exhibit D

(Form of Individual Homeowner Agreement)

This agreement is made on the ____ day of _____, 2019 (this "Agreement"), by and between Woodall GPG, LLC, a Maryland limited liability company ("GPG"), and _____, an individual (the "Homeowner" and, together with GPG, the "Parties"), as the owner of the property located at _____ (the "Property").

WHEREAS, GPG is the owner and developer of an office project (the "Project") located on three lots of Stevenson Street and Key Highway in Baltimore, Maryland;

WHEREAS, GPG desires to develop the Project to include a non-residential mixed use building and parking garage;

WHEREAS, the Parties acknowledge that the Property may be adversely affected by construction related to the development of the Project;

WHEREAS, the Parties desire to document certain agreements concerning pre- and post-construction structural inspections and possible monitoring, if necessary during pile driving, of the Property throughout the duration of the Project in order to prevent and detect construction-induced damage; provide a framework for claims or mitigation if damage occurs or is anticipated; and outline a process for notice, right of entry for pre- and post-construction structural inspections and monitoring, if necessary;

WHEREAS, each of GPG and the Homeowner agrees to the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the foregoing, the mutual commitments contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Monitoring. If pile driving or certain other vibratory compaction methods (specifically, motorized and machine-operated vibratory rollers and plate compactors, hereinafter collectively referred to as "Vibratory Compaction Methods") must be used during the construction of the Project, then, based on best practices from analyzing the initial examinations and plans, an independent structural engineer professionally-licensed in the State of Maryland (the "Professional Engineer") will determine the acceptable monitoring thresholds. Any monitoring contemplated hereunder shall only be necessary during pile driving or Vibratory Compaction Methods.

2. **Pre-Construction Inspection.** The pre-construction examinations must be completed prior to the commencement of any excavation, and, if possible, prior to the demolition of any existing structures that share a party wall. The Professional Engineer shall make good faith efforts to schedule the pre-construction inspection of the Property at least fourteen (14) days prior to the commencement of excavation. Such good faith efforts shall include, but not be limited to, calling and emailing the Homeowner and posting notices on the Property. The purpose of the pre-construction inspection is to determine the pre-construction condition of the Property so as to be able to compare that condition with the condition of the Property during and following completion of construction. The Professional Engineer shall prepare a written report of the findings of the pre-construction inspection and shall provide a copy of that report to the Homeowner within forty-five (45) days of the inspection.
3. **Interim Inspection.** If pile driving or other Vibratory Compaction Methods are used, then GPG shall provide notice to the Homeowner upon the completion of such activities (email notice to be deemed sufficient). Within fourteen (14) days of receipt of such notice by the Homeowner, the Homeowner shall have the right to request an interim inspection to be performed by the Professional Engineer. If the Homeowner elects to have an interim inspection performed, then the Homeowner and the Professional Engineer shall make good faith efforts to schedule such inspection by at least utilizing the means set forth in the paragraph above within fourteen (14) days following the completion of Pile Driving or other Vibratory Compaction Methods. The purpose of any interim inspection is to determine whether there has been damage to the Property as a result of construction activities and, if so, the necessary remediation of the Property and required changes to construction methods to prevent further damage. The Professional Engineer shall prepare a written report of the findings of the interim inspection and shall provide a copy of that report to the Homeowner within forty-five (45) days of the interim inspection.
4. **Post-Construction Inspection.** Immediately following the completion of construction of the Project, upon issuance of a certificate of occupancy for the Project, a post-construction inspection must be performed in accordance with industry standards by the Professional Engineer to determine the extent of any damage to the Property caused by the development of the Project, if any. The purpose of the post-construction inspection is to determine whether there has been any damage to the Property as a result of construction activities and, if so, the necessary remediation of the Property. The Professional Engineer shall prepare a written report of the findings of the post-construction inspection and shall provide a copy of that report to the Homeowner within forty-five (45) days of the inspection.
5. **Right of Entry for Inspections.** The Homeowner shall grant a right of entry to the inspector to the extent reasonably necessary to enable the inspector to perform pre- and post-construction inspections. The times of entry shall be agreed upon in advance, subject to the availability of the Homeowner. The Homeowner shall have the right to be present for any pre- or post-construction inspection performed. If monitoring is deemed necessary by the Professional Engineer, pursuant to paragraph (1) above, then the Homeowner shall grant the same right of

entry for such monitoring as is granted hereby for pre- and post-construction inspections. The Parties shall use best efforts to schedule a mutually agreeable time for any inspection or monitoring to be performed hereunder. If permission is not granted within a reasonable time frame of fourteen (14) days at a minimum, then GPG shall not be responsible for the examinations, mitigation, and repairs contemplated in this Agreement.

6. Use of Retained Geotechnical Engineer. It is acceptable for GPG's retained licensed geotechnical engineer to provide support to the Professional Engineer in appropriate areas of this monitoring and analysis process, if such monitoring is deemed necessary pursuant to paragraph (1) above. By way of example, but not limitation, support may include activities such as soil analysis, and hazard assessment, subject to approval by the Professional Engineer.
7. Use of Vibratory Compaction Methods. GPG shall use best efforts to avoid the use of pile driving and Vibratory Compaction Methods (as defined above).
8. Mitigation. The Professional Engineer shall determine any necessary mitigations to prevent or repair damage to adjacent properties, as well as determining whether attribution of any damage that occurs is tied to construction activities. If attributed to the development of the Project, any mitigation tasks shall be promptly performed by GPG. Access to the adjacent property for performance of any mitigation task or repair is subject to permission of the adjacent property owner. If permission is not granted within a reasonable time frame, GPG shall not be responsible for the examinations, mitigation and repairs contemplated in this Memorandum. The Parties shall use best efforts to schedule a mutually agreeable time for any mitigation task or repair to be performed hereunder. If permission is not granted within a reasonable time frame of thirty (30) days at a minimum, then GPG shall not be responsible for the examinations, mitigation, and repairs contemplated in this Agreement.
9. Notice Regarding Plans. Any temporary or permanent excavation support, shoring, and underpinning plans shall be designed by the Professional Engineer or other design professional licensed in the State of Maryland. The design professional is required to submit copies of detailed site-specific excavation support and underpinning design drawings to the Homeowner for his/her review.
10. Insurance. Either GPG or its contactor shall provide insurance naming the Homeowner as an additional insured, in the amount of at least \$500,000.00 against any damage to the Property that is shown to have been caused by the construction of the Project.
11. Subsequent Action Following Post-Construction Report. If the post-construction inspection shows any damage to the Property caused by the development of the Project, GPG shall immediately take steps to repair all such damage
12. Homeowner's Rights. Nothing in this Agreement shall preclude the Homeowner from hiring his or her own professional engineer or other expert to conduct inspections of the Property.

13. Presentation and Acceptance by Homeowner. GPG shall present the Homeowner Agreement for execution in a timely fashion after the execution of this Memorandum and the rezoning of the property. If this Agreement is not executed within fourteen (14) days of presentation to the Homeowner, the Homeowner will have forfeited the ability to enter the agreement and receive the benefits thereof.
14. Remedies. The Homeowner shall be entitled to all remedies at law and in equity to enforce the provisions of this Agreement. The Parties acknowledge and agree that there are no adequate remedies at law for the violation of certain of the provisions herein and that, therefore, equitable remedies shall be provided when appropriate.
15. Governing Law. This Agreement shall be construed, interpreted, and enforced according to the laws of the State of Maryland.
16. Entire Agreement. This Agreement contains the entire agreement between the Parties with respect to the subject matter hereto, and supersedes all prior and contemporaneous understandings or agreements. This Agreement may be supplemented, amended, or modified only by the mutual agreement of the Parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by the Parties.
17. Severability of Agreement. If any term or provision of this Agreement is determined to be illegal, unenforceable, or invalid in whole or in part for any reason, such illegal, unenforceable, or invalid provisions or part thereof shall be stricken from this Agreement, and such provision shall not affect the legality, enforceability, or validity of the remainder of this Agreement. If any provision or part thereof of this Agreement is stricken in accordance with the provisions of this paragraph, then this stricken provision shall be replaced, to the extent possible, with a legal, enforceable, and valid provision that is as similar in tenor to the stricken provision as is legally possible.
18. Counterparts. This Agreement may be executed in several counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

[Signature page follows.]

IN WITNESS WHEREOF, the Parties have duly executed this Agreement as of the date first referenced above.

Dated: April _____, 2019

WOODALL GPG, LLC

By: _____
Printed Name: _____
Title: _____

HOMEOWNER

By: _____
Printed Name: _____
Property Address: _____

Email: _____
Phone Number: _____

Exhibit E
Disclosure

GPG and its successors and assigns shall include the following title and paragraph verbatim in every lease and every tier sublease to which they are a party and in every instrument of conveyance for all or any part of the Project. Neither GPG nor its successors or assigns shall approve a sublease for all or any part of the Project, or an assignment of a lease for all or part of the Project, that does not include the following paragraph verbatim. Pursuant to Paragraph 23 of this Memorandum of Understanding among Woodall GPG, LLC ("GPG"), the Locust Point Civic Association, Inc., and American Sugar Refining, Inc., this is a covenant and agreement that runs with the land and which is and shall be binding on GPG and its successors and assigns.

DISCLOSURE

Tenant is advised that the premises leased under this Lease (the "Premises") is across the street from a facility that refines, processes, packages, and stores sugar and sugar-related products sugar (the "Refinery"). The Refinery is located within the Maritime Industrial (MI) Zoning District. The operation of the Refinery involves unloading of ships, use of machinery, trucks, and trains, 24 hours a day, 7 days a week (including weekends and holidays) and may create noise, odors, emissions, dust, bright lights, vibrations, traffic (including truck traffic), and other safety hazards that are inherent to permitted activities in the MI District. Tenant agrees not to seek any statutory, regulatory, or policy changes that would alter the operating hours of the Refinery, alter or eliminate designated truck routes near the Refinery, or alter any limitation on the ways in which the Refinery is required to be operated, from the ways in which it was permitted to operate as of April __, 2019 [the date of the Memorandum of Understanding]. The operation of the Refinery may be expanded beyond its current operation. Tenant agrees that Tenant shall include in all subleases of the Premises to which they are a party, at every tier, and in every assignment of this Lease or any such subleases, the provisions of this paragraph verbatim. American Sugar Refining, Inc., the owner of the refinery, or the then owner of the refinery from time to time, is an intended third party beneficiary of the provisions of this paragraph.

LOCUST POINT



CIVIC ASSOCIATION

PRESIDENT
MATT FARCOSKY

VICE PRESIDENT
KATE MCCOMISKEY

CORRESPONDING SECRETARY
GINNY RAJNES

RECORDING SECRETARY
JUSTIN GROSSMAN

TREASURER
SARAH SWIGER

BOARD OF DIRECTORS

WILL JOVEL
DAMIAN O'CONNOR
CAITLIN REGAN
JOHN SHEA
BRIAN MCHALE
JESSICA AMINZADEH
COREY BENEDICT
MIKE ZAKRJEWSKI
TIM HOY
EMILY PATTERSON

April 3, 2019

Councilman Eric Costello
100 Holliday St.
Baltimore, MD 21202

RE: Bill 19-0345; 1401 Woodall St. Rezoning

Councilman,

At a special meeting called by the general membership of the Locust Point Civic Association, and conducted on March 18, 2019, a vote was taken resulting resulting in support for Bill 19-0345 or any newly introduced City Council Bill authorizing the resoning of the property and creating a TOD-3 zoning classification for the project.

This letter is being sent as required by of a Memorandum of Understanding to be attached to the project signed April 2, 2019.

Sincerely,



Matt Farcosky
President, Locust Point Civic Association

LAND USE AND TRANSPORTATION COMMITTEE: FINDING OF FACTS

**MOTION OF THE CHAIR OF THE LAND USE COMMITTEE: THE CITY COUNCIL
ADOPTS THESE FINDINGS OF FACT CONCERNING THE REZONING PROPOSED
IN CITY COUNCIL BILL 19-0345**

**City Council Bill 19-0345
Rezoning – 1401 Woodall Street and 1446 Stevenson St.**

1. Boundaries of the Neighborhood:

The site is directly adjacent to the boundaries represented by Census Tract 2401. Boundaries of the neighborhood are approximately Woodall Street and Key Highway to the West, the Northwest Harbor to the North, Ft. McHenry to the East, and McComas Street and the Southwest Harbor to the South.

2. Population Change:

According to U.S. Census bureau estimates the population of the neighborhood has increased from 2,240 in 2010 to 3,118 in 2016, a 39% increase. In the past 1 ½ years over close to three hundred (300) multi family dwelling units and fifty (50) new single- family homes have been delivered in the immediate vicinity.

3. Availability of Public Facilities:

Adequate public facilities are available for a variety of uses.

4. Present and Future Transportation Pattern:

The property enjoys excellent access to I-95 and is in close proximity to a Water Taxi transit station and Charm City Circulator routes.

5. Compatibility with Existing and Proposed Development:

The rezoning is compatible with all existing and proposed development in the immediate area.

6. Recommendation of the Planning Commission:

Approval
_____ (by unanimous vote)

Disapproval
___X___

7. Recommendation of the BMZA: No Position

received
4/3/19
Elena PC Costello

8. Relation to the City's Plan:

Conforms to Comprehensive Plan (LIVE Goal 1, Objectives 1, 2, and 5; Goal 2, Objective 4; PLAY Goal 1, Objective 4), X

Does not conform

9. Considerations pursuant to Article 32, Section 5-508 of the Baltimore City Code

The rezoning is in compliance with the public interest. Specific considerations pursuant to the code are listed below:

§ 5-508. Approval standards.

(a) In general.

Legislative authorizations must be evaluated by the Planning Commission and the City Council in accordance with the standards set forth in this section.

(b) Map amendments.

(1) Required findings.

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; SEE BELOW or
- (ii) a mistake in the existing zoning classification. SEE BELOW

(2) Required findings of fact.

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes; SEE ABOVE
- (ii) the availability of public facilities; SEE ABOVE
- (iii) present and future transportation patterns; SEE ABOVE
- (iv) compatibility with existing and proposed development for the area; SEE ABOVE
- (v) the recommendations of the City agencies and officials; SEE ABOVE and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan. SEE ABOVE

(3) Additional standards – General.

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question; SEE THE ATTACHED AERIAL PHOTO
- (ii) the zoning classification of other property within the general area of the property in question; SEE THE ATTACHED ZONING MAP
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; THE PROPERTY IS SUITABLE and
- (iv) 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 zoning classification. DEVELOPMENT TRENDS AND THE FAILURE TO RECOGNIZE AND CONSIDER THEM SUPPORT THE FINDING OF MISTAKE AS WELL AS THE CHANGE TO THE PROPOSED ZONING CLASSIFICATION

10. Change in the Character of the Neighborhood:

The character of the neighborhood has changed.

11. A Mistake in the Existing Zoning Classification:

The Existing Zoning Classifications were the result of a mistake by the City Council.

LAND USE COMMITTEE:

Chairman

Member

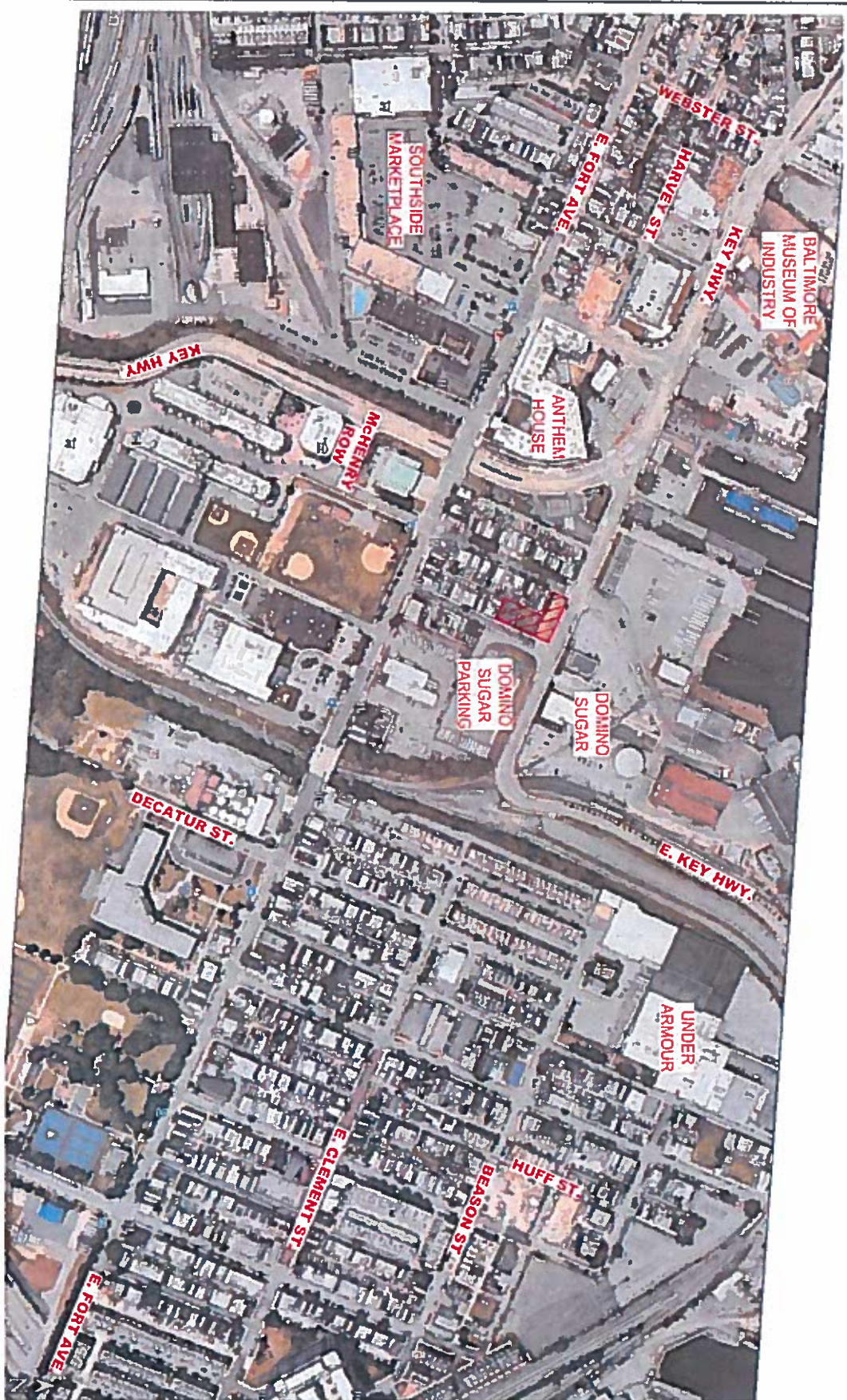
Member

Member

Member

Member

Member



PLAN
SCALE 1" = 100'

1401 WOODALL ST.

BALTIMORE, MARYLAND

NO.	DATE	BY	REVISION

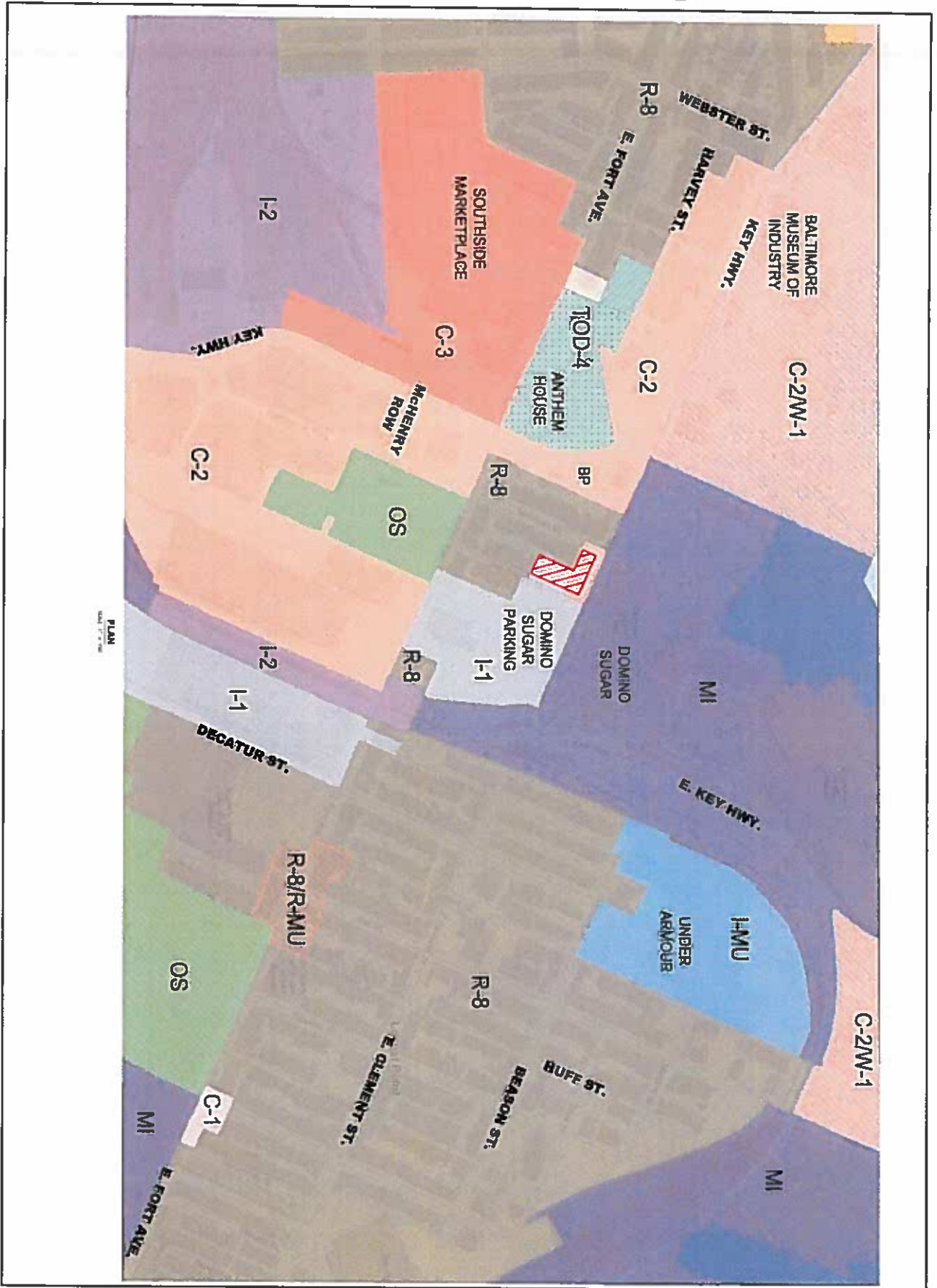
LOUISIANA ZONING EXHIBIT

1401 WOODALL ST.

BALTIMORE, MARYLAND

MPBA

Map of Baltimore, Maryland, showing streets and landmarks. The map is oriented with North at the top. The street names are labeled in red text. The landmarks are labeled in black text. The map shows a grid of streets including Key Hwy, E Fort Ave, Webster St, Harvey St, Decatur St, E Key Hwy, E Clement St, Beason St, Huff St, and Under Armour. Landmarks include Southside Marketplace, Anthem House, Domino Sugar, and the Baltimore Museum of Industry. A red rectangle highlights a specific location at 1401 Woodall St.



PLAN
Scale: 1" = 100'

NO.	DATE	BY	REVISION

PROJECT TITLE
LOCUST POINT ZONING EXTENT

1401 WOODALL ST.
BALTIMORE, MARYLAND

MBR

PROJECT ARCHITECTS
SUBMITTING ARCHITECTS

DATE: 12/20/2011
PROJECT NO: 1401 WOODALL ST.
DRAWN BY: [Name]
CHECKED BY: [Name]

LAND USE AND TRANSPORTATION COMMITTEE: FINDING OF FACTS

**MOTION OF THE CHAIR OF THE LAND USE COMMITTEE: THE CITY COUNCIL
ADOPTS THESE FINDINGS OF FACT CONCERNING THE REZONING PROPOSED
IN CITY COUNCIL BILL 19-0345**

**City Council Bill 19-0345
Rezoning – 1401 Woodall Street and 1446 Stevenson St.**

1. Boundaries of the Neighborhood:

The site is directly adjacent to the boundaries represented by Census Tract 2401. Boundaries of the neighborhood are approximately Woodall Street and Key Highway to the West, the Northwest Harbor to the North, Ft. McHenry to the East, and McComas Street and the Southwest Harbor to the South.

2. Population Change:

According to U.S. Census bureau estimates the population of the neighborhood has increased from 2,240 in 2010 to 3,118 in 2016, a 39% increase. In the past 1 ½ years over close to three hundred (300) multi family dwelling units and fifty (50) new single- family homes have been delivered in the immediate vicinity.

3. Availability of Public Facilities:

Adequate public facilities are available for a variety of uses.

4. Present and Future Transportation Pattern:

The property enjoys excellent access to I-95 and is in close proximity to a Water Taxi transit station and Charm City Circulator routes.

5. Compatibility with Existing and Proposed Development:

The rezoning is compatible with all existing and proposed development in the immediate area.

6. Recommendation of the Planning Commission:

Approval
_____ (by unanimous vote)

Disapproval
___X___

7. Recommendation of the BMZA: No Position

received
4-3-19
Erin: The Willman

8. Relation to the City's Plan:

Conforms to Comprehensive Plan (LIVE Goal 1, Objectives 1, 2, and 5; Goal 2, Objective 4; PLAY Goal 1, Objective 4), X

Does not conform

9. Considerations pursuant to Article 32, Section 5-508 of the Baltimore City Code

The rezoning is in compliance with the public interest. Specific considerations pursuant to the code are listed below:

§ 5-508. Approval standards.

(a) In general.

Legislative authorizations must be evaluated by the Planning Commission and the City Council in accordance with the standards set forth in this section.

(b) Map amendments.

(1) Required findings.

As required by the State Land Use Article, the City Council may approve the legislative authorization based on a finding that there was either:

- (i) a substantial change in the character of the neighborhood where the property is located; SEE BELOW or
- (ii) a mistake in the existing zoning classification. SEE BELOW

(2) Required findings of fact.

In making the determination required by subsection (b)(1) of this section, the City Council must also make findings of fact that address:

- (i) population changes; SEE ABOVE
- (ii) the availability of public facilities; SEE ABOVE
- (iii) present and future transportation patterns; SEE ABOVE
- (iv) compatibility with existing and proposed development for the area; SEE ABOVE
- (v) the recommendations of the City agencies and officials; SEE ABOVE and
- (vi) the proposed amendment's consistency with the City's Comprehensive Master Plan. SEE ABOVE

(3) *Additional standards – General.*

Additional standards that must be considered for map amendments are:

- (i) existing uses of property within the general area of the property in question; SEE THE ATTACHED AERIAL PHOTO
- (ii) the zoning classification of other property within the general area of the property in question; SEE THE ATTACHED ZONING MAP
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; THE PROPERTY IS SUITABLE and
- (iv) 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 zoning classification. DEVELOPMENT TRENDS AND THE FAILURE TO RECOGNIZE AND CONSIDER THEM SUPPORT THE FINDING OF MISTAKE AS WELL AS THE CHANGE TO THE PROPOSED ZONING CLASSIFICATION

10. Change in the Character of the Neighborhood:

The character of the neighborhood has changed.

11. A Mistake in the Existing Zoning Classification:

The Existing Zoning Classifications were the result of a mistake by the City Council.

LAND USE COMMITTEE:

Chairman

Member

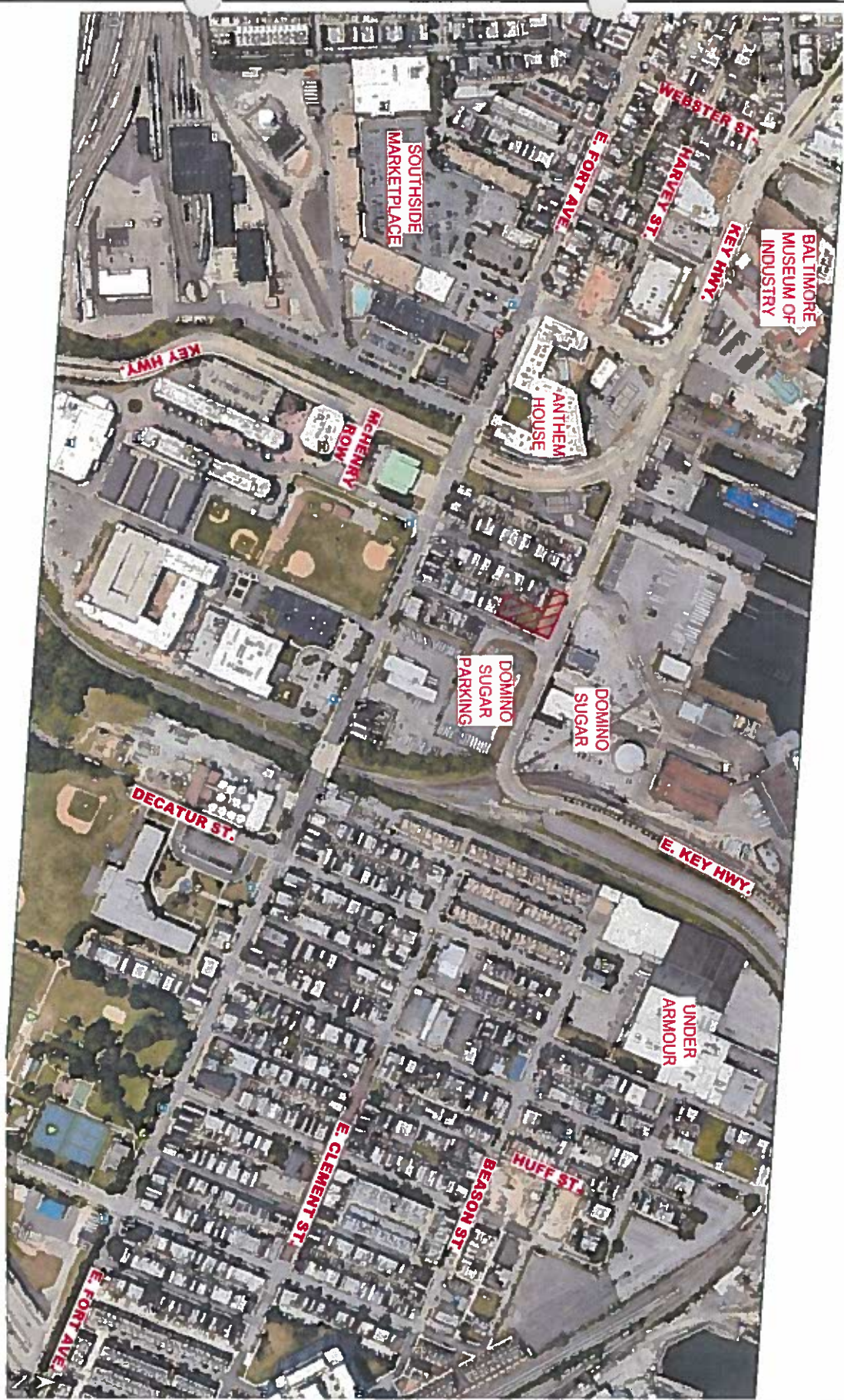
Member

Member

Member

Member

Member



PLAN
DATE: 11-11-11



Engineering Solutions
Sustainable Architecture
Interior Design
2010 E. Gwynn St.
Suite 100
Baltimore, MD 21204
Phone: 410-528-1100
www.mira.com

1401 WOODALL ST.

BALTIMORE, MARYLAND

LOGIST POINT
ZONING
EXHIBIT

NO.	DESCRIPTION	DATE	BY
1	PREPARED FOR SUBMITTAL	11/11/11	
2	REVISION		
3	REVISION		
4	REVISION		
5	REVISION		
6	REVISION		
7	REVISION		
8	REVISION		
9	REVISION		
10	REVISION		

PROJECT TITLE

1401 WOODALL ST.
BALTIMORE, MD 21204
11/11/11



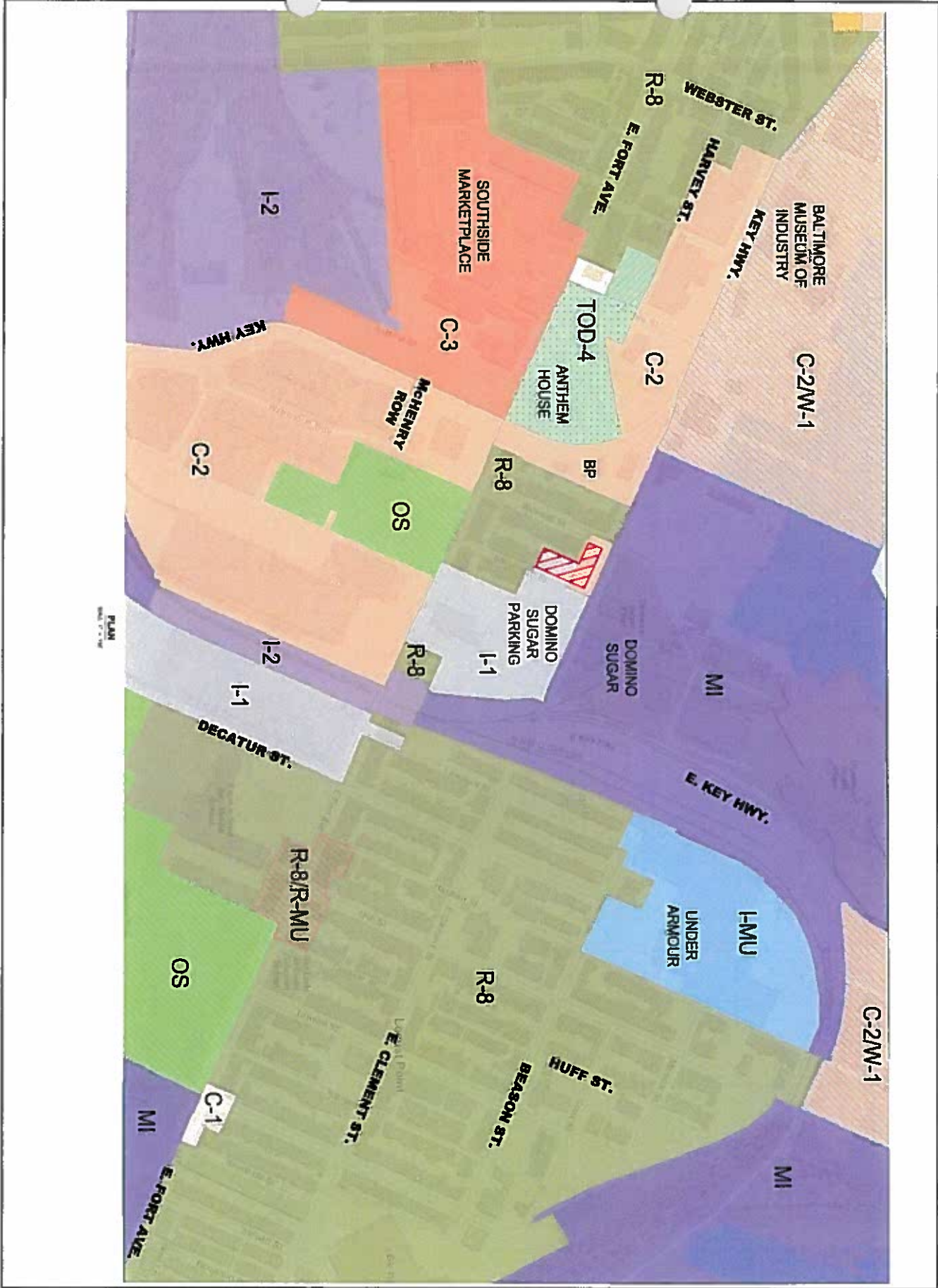
DEPARTMENT OF PLANNING,
 REVENUE AND LANDMARK
 ADMINISTRATION
 1501 E. JOPPA RD.
 SUITE 600
 BALTIMORE, MD 21202
 TEL: 410-396-2000
 FAX: 410-396-2001
 WWW.MPBA.GOV

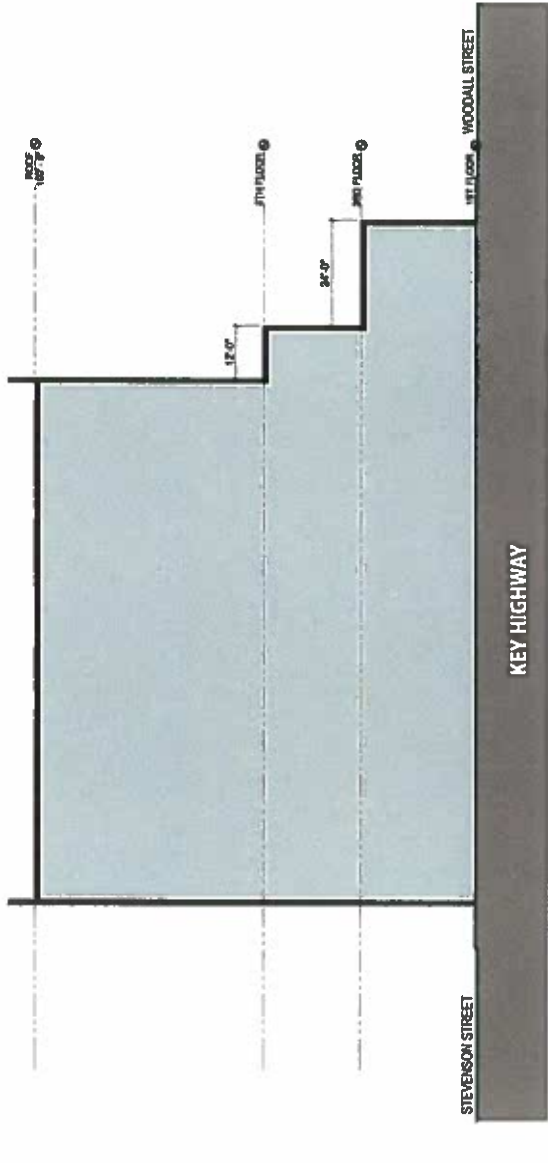
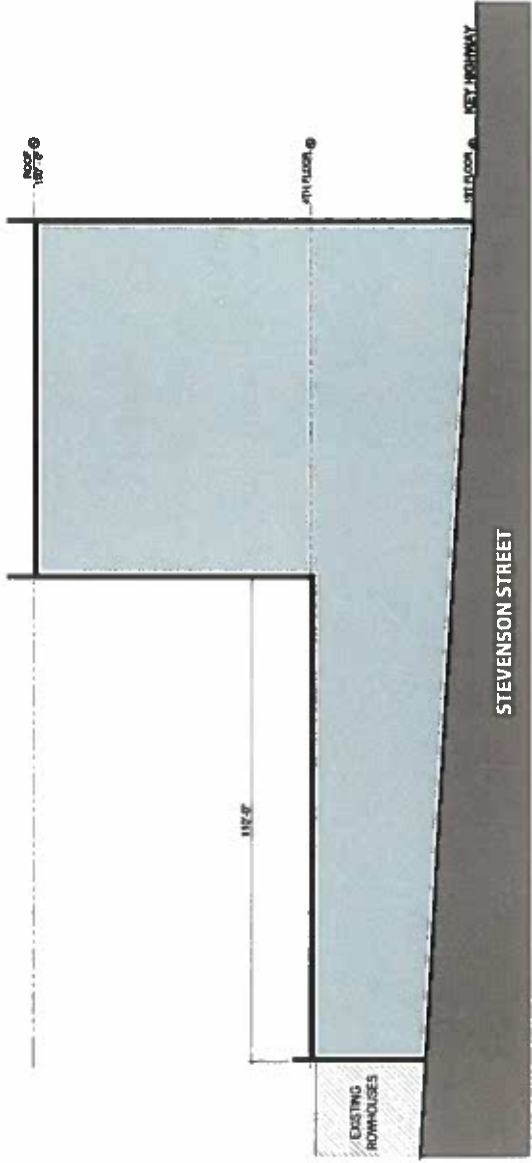
1401 WOODALL ST.
 BALTIMORE, MARYLAND

LOCUST POINT ZONING EXHIBIT

NO.	REVISION	DATE	BY
1		09/10/18	

PROJECT TITLE: LOCUST POINT ZONING EXHIBIT
 SHEET NUMBER: 1





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 These drawings are provided under
 Copyright Act of 1976 and shall not be re-
 produced or transmitted in any form or by
 any means, electronic, mechanical, photocopy-
 ing, recording, or by any information storage
 and retrieval system, without the prior written
 permission of the Architect. Any reproduction
 or use of these drawings without the prior
 written permission of the Architect is
 prohibited.

Goodier

1400 WOODALL OFFICE BUILDING
 EXHIBIT B: BULK MASSING
 03/01/2019

MOSELEYARCHITECTS

received
 4-3-19
 Elinor Threlkeld



**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

**Wednesday, April 3, 2019
1:10 PM**

***City Council Bill # 19-0345
Rezoning - 1401 Woodall Street and 1446 Stevenson Street***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

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Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

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Shannon Sneed
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Ryan Dorsey
Staff: Richard Krummerich

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Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

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Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)



BILL SYNOPSIS

Committee: Land Use and Transportation

Bill 19-0345

Rezoning - 1401 Woodall Street and 1446 Stevenson Street

Sponsor: Councilmember Costello at the request of Joseph R. Woolman, III

Introduced: February 25, 2019

Purpose:

For purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

Effective: 30th day after enactment

Hearing Date/Time/Location: April 3, 2019 /1:10 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Unfavorable
Board of Municipal and Zoning Appeals	
Department of Law	
Department of Transportation	
Department of Housing and Community Development	
Baltimore Development Corporation	Unfavorable

Analysis

Current Law

Article 32 – Zoning District Map; Sheet 66; Baltimore City Revised Code (Edition 2000)

Background

If approved, Bill 19-0345 proposes to rezone:

- 1401 Woodall Street from the C-2 Zoning District to the TOD-3 Zoning District and
- 1446 Stevenson Street from the I-1 to TOD-3 Zoning District.

According to the State Land Use Article, a rezoning may be approved based on a finding that there was:

- (1) either a substantial change in the character of the neighborhood where the property is located; or
- (2) a mistake in the existing zoning classification.

The applicant and owner of the properties is Woodall GPG, LLC. The properties are located in the Riverside neighborhood near the boundary of the Locust Point neighborhood. The site is bounded by Key Highway on the north, Stevenson Street on the east, Woodall Street on the west and Fort Avenue on the south. The 1401 Woodall Street property is situated on the southeast corner of the intersection of Woodall Street and Key Highway. 1446 Stevenson Street property, which consists of two lots, is situated on the west side of the Stevenson Street.

The 51'10" x 155'4" site was improved with a large building, which was recently demolished. The neighborhood has a wide mix of uses, including residential, industrial and commercial. Two-story rowhomes are adjacent to the lots. The Domino Sugar Refinery Company, an industrial manufacturer, is situated directly across the street on the north side of Key Highway and also owns property on the eastern side of Stevenson Street and along Key Highway

Prior to Transform Baltimore, the comprehensive rezoning process, the property was zoned M-3 Industrial (Heavy Industry). Under Transform, 1401 Woodall Street was rezoned to Commercial C-2. 1446 Stevenson Street was rezoned to Industrial I-1. If approved, Bill 19-0345 proposes to rezone the property as follows

Property	Zoning		
	Prior to Transform	Current	Proposed
1401 Woodall Street	M-3	C-2	TOD-3
1446 Stevenson Street	M-3	I-1	TOD-3

The intended purposes for the current and proposed zoning districts, as described in Article 32, are below:

Current Zoning District – C-2

§ 10-204. C-2 Community Commercial District.

(a) Areas for which intended.

The C-2 Community Commercial Zoning District is intended for areas of small to medium scale commercial use, typically located along urban corridors, that are designed to accommodate pedestrians and, in some instances, automobiles.

(b) Standards.

The C-2 District standards are crafted to:

- (1) ensure compatibility among neighboring residential, commercial, and entertainment uses;
- (2) maintain the proper scale of commercial use; and
- (3) maintain a balance between high traffic volume and pedestrian circulation.

(Ord. 16-581; Ord. 17-015.)

Current Zoning District – I-1

§ 11-204. I-1 Light Industrial District.

(a) Intent.

The I-1 Light Industrial Zoning District is intended to provide for a wide variety of light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses.

(b) Light industrial uses.

Light industrial uses are enclosed low-intensity, non-nuisance light fabrication and assembly type manufacturing, with little to no outside impacts.

(Ord. 16-581.)

Proposed Zoning District – TOD-3

§ 12-202. TOD Transit-Oriented Development Districts.

The purpose of TOD Transit-Oriented Development Zoning Districts is to encourage the location of uses and forms of development conducive to increased transit usage. These Districts are intended to promote new, well-integrated residential and commercial development around transit stations, to ensure that new development occurs in the form of compatible, higher density, transit-friendly design in close proximity to transit systems, to encourage a pedestrian-orientation in new development, to decrease reliance on motor vehicles by increasing transit uses, and to encourage a mix of buildings and activities that provides settings for social interaction and active community life. In order to address the different characteristics of transit locations within the City, 4 TOD Districts are established: the TOD-1 District, TOD-2 District, TOD-3 District and the TOD-4 District. The primary distinctions among these 4 TOD Districts are height, residential density, and use mix.

(Ord. 16-581; Ord. 17-015.)

Additional Information

Fiscal Note: Not Available

Information Source(s): City Records, Agency Reports

Analysis by: Jennifer L. Coates
Analysis Date: March 28, 2019



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 19-0345
(First Reader)**

Introduced by: Councilmember Costello

At the request of: Woodall GPG, LLC

Address: c/o Joseph R. Woolman, III, J.R. Woolman, LLC, 111 South Calvert Street, Suite
2700, Baltimore, Maryland 21202

Telephone: 410-385-5328

Introduced and read first time: February 25, 2019

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rezoning – 1401 Woodall Street and 1446 Stevenson Street**

3 FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block
4 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to
5 the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block
6 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning
7 District to the TOD-3 Zoning District.

8 BY amending

9 Article 32- Zoning
10 Zoning District Map
11 Sheet 66
12 Baltimore City Revised Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
15 Sheet 66 of the Zoning District Map is amended by changing from the C-2 Zoning District to the
16 TOD-3 Zoning District the property known as 1401 Woodall Street (Block 2016, Lot 074), as
17 outlined in red on the plat accompanying this Ordinance, and by changing from the I-1 Zoning
18 District to the TOD-3 Zoning District the property known as 1446 Stevenson Street (Block 2016,
19 Lots 032 and 033), as outlined in red on the plat accompanying this Ordinance.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
21 accompanying plat and in order to give notice to the agencies that administer the City Zoning
22 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
23 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;

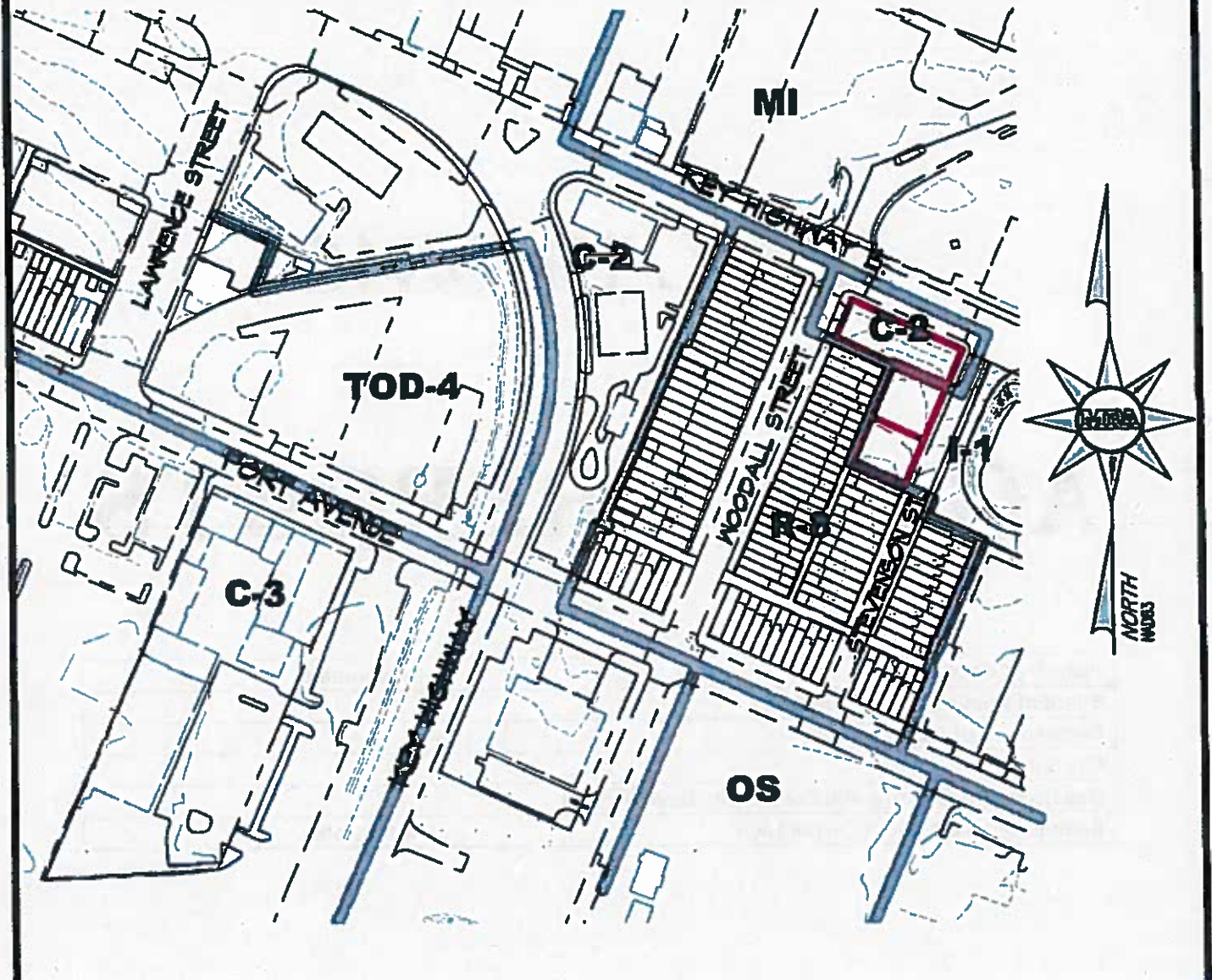
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 19-0345

1 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
2 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
3 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
4 the Zoning Administrator.

5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
6 after the date it is enacted.

SHEET NO. 66 OF THE ZONING DISTRICT MAP OF BALTIMORE CITY ZONING CODE



PRESIDENT CITY COUNCIL

ZONING AS OUTLINED IN RED ABOVE.

MRA

MORRIS & RITCHIE ASSOCIATES, INC.
 ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
 1220-C E. JOPPA RD., SUITE 505
 TOWSON, MD 21286
 (410) 821-1690
 RPIKE@MRAGTA.COM
 MRAGTA.COM

Copyright 2019 Morris & Ritchie Associates, Inc.

**1401 WOODALL STREET &
 1446 STEVENSON STREET**
 LOTS 32, 33 & 74

WARD 24, SECTION 10, BLOCK 2016
 BALTIMORE CITY, MARYLAND

SCALE: 1" = 200'

DATE:

DRAWN BY: RJP

DESIGN BY: RJP

REVIEW BY: TJS

JOB NO. : 19983

LAND USE AND TRANSPORTATION COMMITTEE

BILL 19-0345

AGENCY REPORTS

Planning Commission	Unfavorable
Board of Municipal Zoning Appeals	
Department of Transportation	
City Solicitor	
Department of Housing and Community Development	
Baltimore Development Corporation	Unfavorable

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, April 3, 2019

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0345

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0345

Rezoning - 1401 Woodall Street and 1446 Stevenson Street

For the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

Sponsors:

Eric T. Costello

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

Coates, Jennifer

From: Coates, Jennifer
Sent: Tuesday, February 26, 2019 11:11 AM
To: 'joe@jrwoolman.com'
Cc: Austin, Natawna B.; Costello, Eric; 'Reisinger, Edward'
Subject: Bill 19-0345 - Public Notice Instructions
Attachments: Sample - Certificate of Posting - Attachment C.docx; LU Form - Contacts for Sign Posting RZ PUD.docx; Michele Griesbauer - Sunpaper - Advertising; Darlene Miller - Daily Record; Afro American; PNI - Letter - 19-0345 - RZ - 1401 Woodall Street.docx

Mr. Woolman:

Please disregard the last email as an incorrect file was attached. I apologize for any inconvenience.

Attached is the information you will need to post and publish public hearing notices for the subject bill to be heard by the Land Use and Transportation Committee on **April 3, 2019 at 1:10 p.m.** at City Hall in the City Council Chamber. I have also attached a contact list for sign makers, business cards for newspaper contacts and a sample certification template.

Thank you and feel free to call if you need more information.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL

Jennifer Coates
Committee Staff



Jennifer L. Coates

*Senior Legislative Policy Analyst
Office of Council Services*

100 N. Holliday Street, Room 415
Baltimore, MD 21202

jennifer.coates@baltimorecity.gov

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

Confidentiality Notice:

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CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

TO: Mr. J. R. Woolman, LLC

FROM: Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,
Baltimore City Council

Date: February 26, 2019

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – MAP AMENDMENTS
(REZONINGS); PLANNED UNIT DEVELOPMENTS

The Land Use and Transportation Committee has scheduled the following City Council Bill for a public hearing:

Bill: City Council Bill No. 19-0345

Date: Wednesday, April 3, 2019

Time: 1:10 p.m.

Place: City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

Article 32. Zoning § 5-601 – Map or Text Amendments; PUDs

For helpful information about the notice requirements under Article 32 - Zoning (pages 127 – 128) see Attachment B. You are encouraged to access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

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THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE
POSTED BY MARCH 4, 2019 AND PUBLISHED BY MARCH 19, 2019, AS
DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 19-0345

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, April 3, 2019 at 1:10 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0345

CC 19-0345 ORDINANCE - Rezoning - 1401 Woodall Street and 1446 Stevenson Street

FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

By amending

Article 32- Zoning
Zoning District Map
Sheet 66
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

Applicant: Mr. Joseph R. Woolman, III

For more information, contact committee staff at (410) 396-1260.

EDWARD REISINGER

Chair

**SEND CERTIFICATION OF
PUBLICATION TO:**

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

**SEND BILL FOR THIS
ADVERTISEMENT TO:**

Mr. Joseph R. Woolman, III
J.R. Woolman, LLC
111 South Calvert Street, Suite 2700
Baltimore, MD 21202
410-385-5328

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed rezoning; and
- (3) the name of the applicant.

(d) Number and manner of posted notices.

(1) For a zoning map amendment or the creation or modification of a planned unit development, the number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) for a comprehensive rezoning, a change in the boundaries of a zoning district, or the creation or modification of a planned unit development, at least 2 or more signs are required, as the Department of Planning designates;
- (iii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;
- (iv) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and
- (v) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) Timing of notices – In general.

The notice must be published, mailed, and, except as provided in subsection (f) of this section, posted:

- (1) at least 15 days before the public hearing; or
- (2) for a comprehensive rezoning, at least 30 days before the public hearing.

(f) Timing of notices – Posting for map amendment or PUDs.

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice must be:

THE NOTICE OF HEARING SIGN(S) MUST BE POSTED IN ACCORDANCE WITH ARTICLE 32; SECTION 5-601 (See Attachment B), WHICH CAN ALSO BE OBTAINED FROM THE FOLLOWING WEBSITE:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

SIGNS MAY BE OBTAINED FROM A VENDOR OF YOUR CHOICE OR ANY OF THOSE LISTED BELOW:

RICHARD HOFFMAN
904 DELLWOOD DRIVE
BALTIMORE, MARYLAND 21047
PHONE: (443) 243-7360
E-MAIL: DICK_E@COMCAST.NET

JAMES EARL REID
LA GRANDE VISION
5517 HADDON AVENUE
BALTIMORE, MARYLAND 21207
PHONE: (443) 722-2552
E-MAIL: JamesEarlReid@aol.com or JamesEarlReid@aim.com

SIGNS BY ANTHONY
ANTHONY L. GREENE
2815 TODKILL TRACE
EDGEWOOD, MD 21040
PHONE: 443-866-8717
FAX: 410-676-5446
E-MAIL: bones_malone@comcast.net

LINDA O'KEEFE
523 PENNY LANE
HUNT VALLEY, MD 21030
PHONE: 410-666-5366
CELL: 443-604-6431
E-MAIL: LUCKYLINDA1954@YAHOO.COM

This office is not associated with any of the above drafting companies, nor do we recommend any specific one.

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Coates, Jennifer

Full Name: Michele Griesbauer
Last Name: Griesbauer
First Name: Michele
Company: Sunpaper - Advertising

Business Address: <http://ts.merlinone.com/scripts/foxisapi.dll/sur.x.go?WHk18OI--1>

Business: (410) 332-6381
Business Fax: (410) 783-2507

E-mail: mgriesbauer@baltsun.com
E-mail Display As: Sunpaper - Advertising (mgriesbauer@baltsun.com)

Monday, June 09, 2014 4:07 PM:
Michele Wharton 410-332-6522

Baltimore City Council
Certificate of Posting - Public Hearing Notice

City Council Bill No.:

Today's Date: [Insert Here]

(Place a picture of the posted sign in the space below.)

Address:

Date Posted:

Name:

Address:

Telephone:

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

Coates, Jennifer

Full Name: Darlene Miller
Last Name: Miller
First Name: Darlene
Company: Daily Record

Business Address: 443-524-8188 Direct, Line
United States of America

Business: (410) 752-3849
Business Fax: (410) 752-5469

E-mail: legalad@thedailyrecord.com
E-mail Display As: Darlene Miller - Daily Record (legalads@thedailyrecord.com)

Coates, Jennifer

Full Name: Afro American
Last Name: American
First Name: Afro

Business: (410) 554-8251

E-mail: TRobinson@afro.com
E-mail Display As: TRobinson@afro.com

**CITY OF BALTIMORE
COUNCIL BILL 19-0345
(First Reader)**

Introduced by: Councilmember Costello

At the request of: Woodall GPG, LLC

Address: c/o Joseph R. Woolman, III, J.R. Woolman, LLC, 111 South Calvert Street, Suite
2700, Baltimore, Maryland 21202

Telephone: 410-385-5328

Introduced and read first time: February 25, 2019

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rezoning – 1401 Woodall Street and 1446 Stevenson Street**

3 FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block
4 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to
5 the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block
6 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning
7 District to the TOD-3 Zoning District.

8 BY amending

9 Article 32- Zoning
10 Zoning District Map
11 Sheet 66
12 Baltimore City Revised Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
15 Sheet 66 of the Zoning District Map is amended by changing from the C-2 Zoning District to the
16 TOD-3 Zoning District the property known as 1401 Woodall Street (Block 2016, Lot 074), as
17 outlined in red on the plat accompanying this Ordinance, and by changing from the I-1 Zoning
18 District to the TOD-3 Zoning District the property known as 1446 Stevenson Street (Block 2016,
19 Lots 032 and 033), as outlined in red on the plat accompanying this Ordinance.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
21 accompanying plat and in order to give notice to the agencies that administer the City Zoning
22 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
23 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;

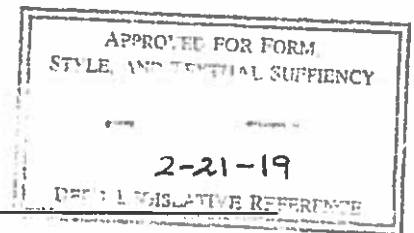
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 19-0345

1 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
2 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
3 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
4 the Zoning Administrator.

5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
6 after the date it is enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Costello
At the request of: Woodall GPG, LLC
Address: c/o Joseph R. Woolman, III, J.R. Woolman, LLC, 111 South Calvert Street, Suite
2700, Baltimore, Maryland 21202
Telephone: 410-385-5328

A BILL ENTITLED

AN ORDINANCE concerning

Rezoning – 1401 Woodall Street and 1446 Stevenson Street

FOR the purpose of changing the zoning for the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the accompanying plat, from the C-2 Zoning District to the TOD-3 Zoning District, and for the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the accompanying plat, from the I-1 Zoning District to the TOD-3 Zoning District.

BY amending

Article 32- Zoning
Zoning District Map
Sheet 66
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheet 66 of the Zoning District Map is amended by changing from the C-2 Zoning District to the TOD-3 Zoning District the property known as 1401 Woodall Street (Block 2016, Lot 074), as outlined in red on the plat accompanying this Ordinance, and by changing from the I-1 Zoning District to the TOD-3 Zoning District the property known as 1446 Stevenson Street (Block 2016, Lots 032 and 033), as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

STATEMENT OF INTENT

FOR

1401 Woodall Street, et al

(Address)

1. Applicant's Contact Information:

Name: J.R. Woolman, LLC

Mailing Address: 111 South Calvert Street, Baltimore, MD 21230

Telephone Number: 410-385-5328

Email Address: joe@jnwoolman.com

2. All Proposed Zoning Changes for the Property: I-1 and C-2 to TOD-3

3. All Intended Uses of the Property: Office/ Retail

4. Current Owner's Contact Information:

Name: Goodier GPG LLC

Mailing Address: 1414 Key Highway, Suite 300 A
Baltimore, MD 21230

Telephone Number: 410-330-5565

Email Address: dan@goodier.com

5. Property Acquisition:

The property was acquired by the current owner on 7/24/17 by deed recorded in the Land Records of Baltimore City in Liber 19345 Folio 0368.

6. Contract Contingency:

(a) There is _____ is not a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows *(use additional sheet if necessary)*: _____

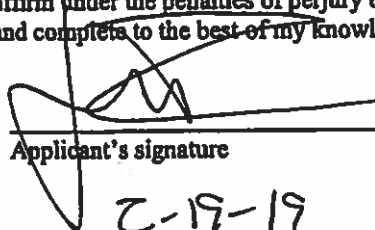
(ii) The purpose, nature, and effect of the contract are: _____

7. Agency:

- (a) The applicant is X is not _____ acting as an agent for another.
- (b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows (use additional sheet if necessary): Dan Goodier

AFFIDAVIT

I, Joseph R. Woolman III, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.



Applicant's signature

2-19-19

Date

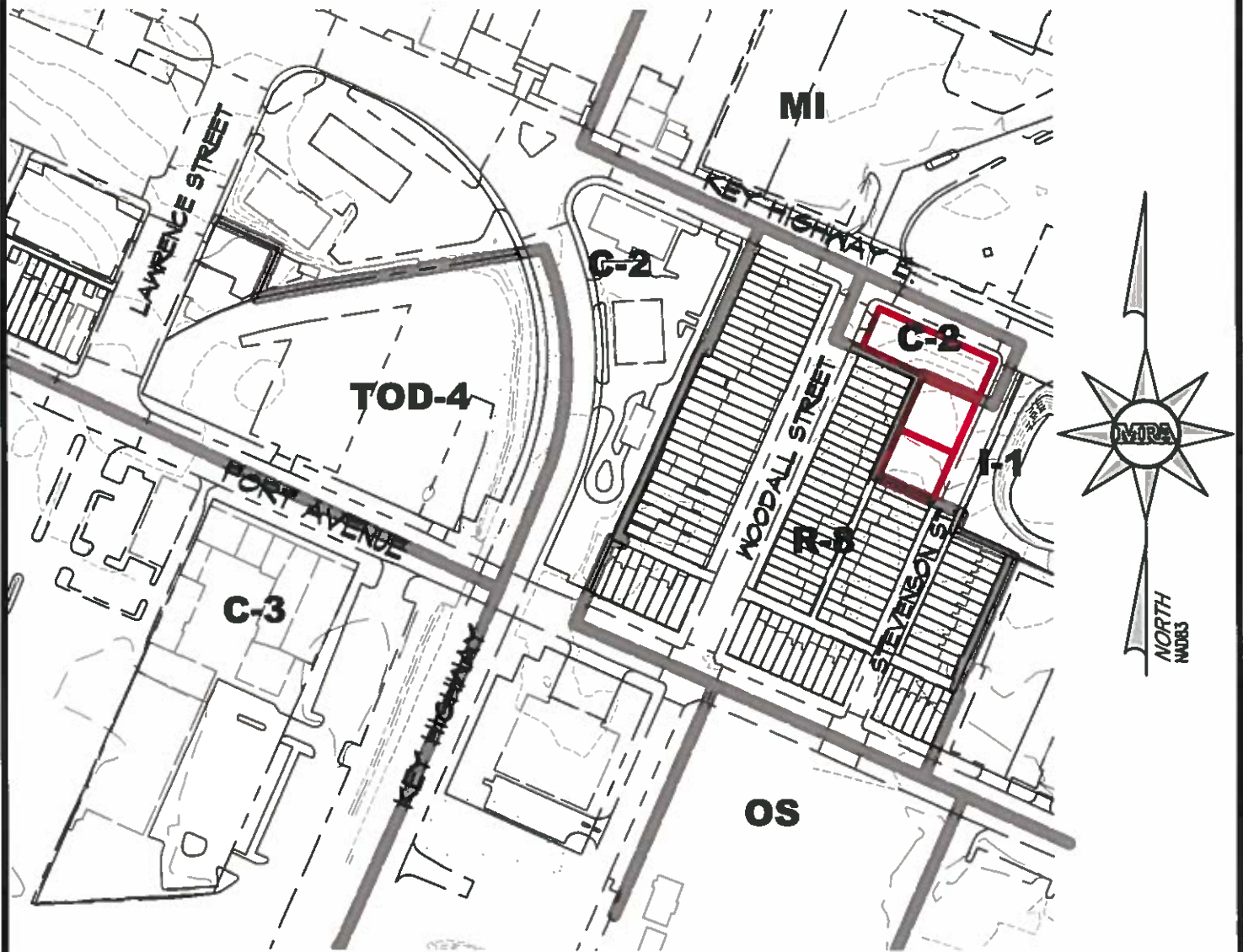


11

12

13

SHEET NO. 66 OF THE ZONING DISTRICT MAP OF BALTIMORE CITY ZONING CODE



MAYOR

PRESIDENT CITY COUNCIL

NOTE:

IN CONNECTION WITH THE PROPERTY KNOWN AS 1401 WOODALL ST AND 1448 STEVENSON STREET, THIS APPLICANT WISHES TO REQUEST THE REZONING OF THE FOREMENTIONED PROPERTY FROM I-1 ZONING AND C-2 ZONING TO TOD-3 ZONING AS OUTLINED IN RED ABOVE.



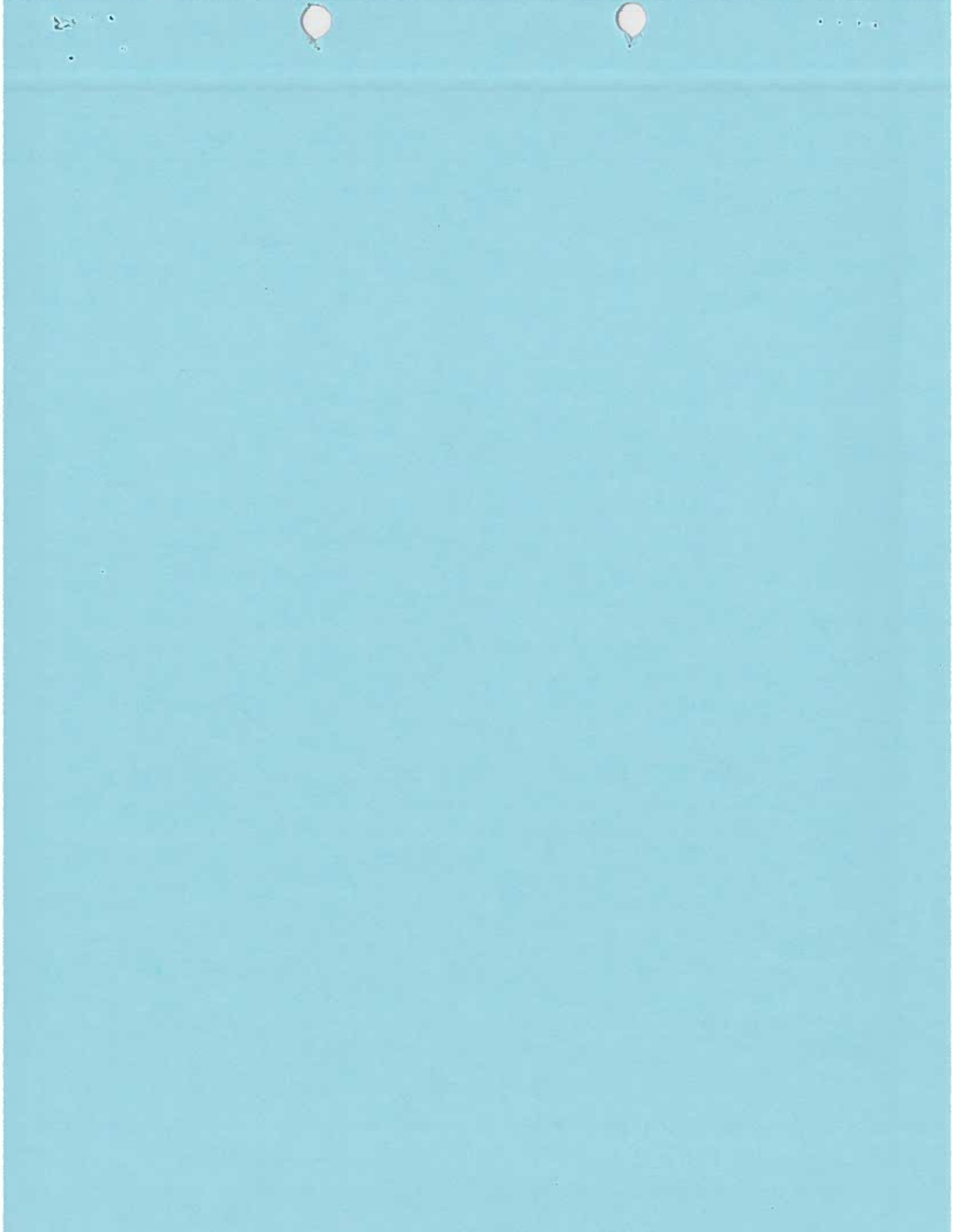
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C E. JOPPA RD., SUITE 505
TOWSON, MD 21286
(410) 821-1690
RPIKE@MRAGTA.COM
MRAGTA.COM
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**1401 WOODALL STREET &
1446 STEVENSON STREET**
LOTS 32, 33 & 74

WARD 24, SECTION 10, BLOCK 2016
BALTIMORE CITY, MARYLAND

SCALE: 1" = 200'	DATE:	DRAWN BY: RJP	DESIGN BY: RJP	REVIEW BY: TJS	JOB NO. : 19963
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ACTION BY THE CITY COUNCIL

FEB 25 2019

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON April 3, _____ 20 19

COMMITTEE REPORT AS OF April 15, _____ 20 19

FAVORABLE UNFAVORABLE FAVORABLE AS AMENDED WITHOUT RECOMMENDATION

Edward R. [Signature]
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

APR 15 2019

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ APR 22 2019

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

[Signature]

President

[Signature]

Chief Clerk