

FROM	NAME & TITLE	Eric W. Tiso, Director of Development Oversight and Project Support	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Planning 8 <sup>th</sup> Floor, 417 East Fayette Street		
	SUBJECT	City Council Bill #25-0142 / Rezoning – 3605 Hickory Avenue		

TO

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

DATE: January 16, 2026

At its regular meeting of January 15, 2026, the Planning Commission considered City Council Bill #25-0142, for the purpose of changing the zoning for the property known as 3605 Hickory Avenue (Block 3539, Lot 003), as outlined in red on the accompanying plat, from the R-7 Zoning District to the IMU-1 Zoning District; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #25-0142 and adopted the following resolution:

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #25-0142 be **approved** by the City Council.

If you have any questions, please contact me at [eric.tiso@baltimorecity.gov](mailto:eric.tiso@baltimorecity.gov) or by phone at 410-396-8358.

attachment

cc: Ms. Nina Themelis, Mayor's Office  
The Honorable John Bullock, Council Rep. to Planning Commission  
Mr. Justin Williams, BMZA  
Mr. Geoffrey Veale, Zoning Administrator  
Ms. Stephanie Murdock, DHCD  
Ms. Hilary Ruley, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Luciano Diaz, DOT  
Ms. Nancy Mead, Council Services  
Mr. Chase Hoffberger



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

*Jon Laria, Chair; Eric Stephenson, Vice Chair*

### STAFF REPORT



Tim Keane  
Director

**January 15, 2026**

**LEGISLATION:** City Council Bill #25-0142/ Rezoning – 3605 Hickory Avenue

For the purpose of changing the zoning for the property known as 3605 Hickory Avenue (Block 3539, Lot 003), as outlined in red on the accompanying plat, from the R-7 Zoning District to the IMU-1 Zoning District; and providing for a special effective date.

**SUMMARY OF REQUEST:** CCB #25-0142 would change the zoning of the parcel from R-7 to IMU-1. This zoning change would allow the site to be used for Industrial: Light uses, including on-site liquor production. The rezoning request is made under the mistake standard, as required by §5-508 of the Zoning Code. The site contains a formerly industrial building that is proposed to be reused as a liquor distillery and restaurant. A distillery is neither a permitted nor a conditional use in the current R-7 zoning district; however, the use is allowed under the Industrial: Light use category in the IMU-1 district.

**RECOMMENDATION:** Adopt finding and approve.

**STAFF:** Justin Walker

**PETITIONER:** Chase Hoffberger

**OWNER:** 3605 Hickory Ave, LLC

**COUNCIL DISTRICT:** 7<sup>th</sup>

#### **SITE/GENERAL AREA**

Site Conditions: 3605 Hickory Avenue is located on the east side of the street, approximately 200' north of the intersection with West 36<sup>th</sup> Street. This property measures approximately 88' by 141' and is currently improved with a two-story building containing approximately 18,000 square feet of gross floor area. This site is zoned R-7 and is located within the Robert Poole/ACCE and Independence INSPIRE Plan area.

General Area: The site contains a formerly industrial building that is currently vacant. The property is the only parcel in the immediate area zoned R-7. The site is surrounded on all sides by R-6 zoning in a neighborhood that primarily consists of rowhouse and duplex dwellings. At the southern end of the block is the commercial strip along West 36<sup>th</sup> Street, known as "The Avenue," which is zoned C-1. The property is one of the only large, non-residential structures fronting on Hickory Avenue.

## **HISTORY**

The building was last authorized for use as a warehouse and for the manufacturing of leather pet products in 2015. These are nonconforming uses.

## **CONFORMITY TO PLANS**

The 2024 Comprehensive Master Plan for the City of Baltimore was enacted by Ordinance #24-426, dated December 2, 2024. The subject property is designated in the Residential: Higher Density group in the General Land Use Plan. This proposed rezoning does not conform to that designation.

The Zoning Code states that the purpose of the Industrial Mixed-Use (IMU) zoning districts is to encourage the reuse of older industrial buildings for light industrial uses. The Code acknowledges that buildings zoned IMU-1 are typically surrounded by residential uses, as is the case for 3605 Hickory Avenue. The intent of allowing light industrial uses is to permit low-intensity manufacturing that is entirely enclosed within the structure. The applicant's proposal aligns with the Code's requirements for the IMU-1 zoning district.

## **APPLICANT'S PROPOSAL AND CODE CONTEXT:**

The applicant seeks to use the property as a liquor distillery and restaurant. Under the existing R-7 zoning, the distillery use is not a permitted or conditional use per Table 9-301. Rezoning to IMU-1 would allow the applicant to have a restaurant and liquor distillery on site under the Industrial: Light use category. Per Table 11-301, both the restaurant and distillery are allowed as permitted uses in the IMU-1 district.

Section 5-508, copied below, lists the standards for approval of a rezoning. Findings must be made that either a substantial change has occurred in the neighborhood to warrant the rezoning, or that there was a mistake in assigning the current zoning category. The applicant contends, and staff concurs, that there was a mistake in assigning the current zoning category.

## **REZONING:**

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.

## **ANALYSIS AND RECOMMENDATION**

As noted above, for rezonings, the City Council must consider the following, where appropriate. Staff's assessment follows each of these criteria.

### § 5-508 (b) Evaluation criteria:

**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; (ii) a mistake in the existing zoning classification.**

Staff finds evidence that the current zoning designation is the result of a mistake. Prior to the comprehensive rezoning completed in 2017, the area was zoned R-7, as was much of the surrounding neighborhood. During the 2017 rezoning, known as *Transform Baltimore*, the property maintained its R-7 zoning designation, while the rest of the neighborhood was downzoned to R-6. The subject parcel was the only property in the immediate area that retained the R-7 zoning. Maintaining the higher-intensity residential zoning acknowledges that the property is unlike others in the area; however, the residential zoning designation fails to acknowledge the industrial history of the structure and the difficulties associated with converting it to residential use.

The IMU zoning districts were purposefully created with the intention of encouraging the reuse of formerly industrial structures for neighborhood-compatible uses. The property is a textbook example of such a site, as it is adjacent to residential lots but can accommodate enclosed, low-intensity industrial uses that allow the building to be put to productive use while minimizing impacts on surrounding residences.

### Required findings of fact:

- (i) **Population changes**  
No significant population changes have been identified in the immediate area since the adoption of *Transform Baltimore* in 2017.
- (ii) **Availability of public facilities**  
The area continues to be adequately served by existing municipal water, sewer, and public services.

(iii) **Present and future transportation patterns**

No substantial changes in present or future transportation patterns have been identified. The area remains served by roadways, sidewalks, and public transportation.

(iv) **Compatibility with existing and proposed development for the area**

The surrounding block face consists primarily of rowhouse dwellings. The site is within one block of the 36th Street commercial district, which contains many entertainment and restaurant uses. Allowing the rezoning and the proposed use will bring another compatible use to the area.

(v) **Recommendations of City agencies and officials**

No recommendations have been identified from City agencies or officials that would indicate a need for a change in zoning for this area.

(vi) **Consistency with the City's Comprehensive Master Plan**

The proposed rezoning to IMU-1 is consistent with the Master Plan, as it aligns with the Zoning Code's stated purpose of the district, which is to encourage the reuse of formerly industrial properties for neighborhood-compatible uses.

**RECOMMENDATION: Staff therefore recommends that the Planning Commission adopt these findings and recommend the bill favorably, with respect to the rezoning.**

**EQUITY:**

The proposed rezoning aligns with the equity goals of *Our Baltimore* by facilitating the reuse of a vacant industrial building for a neighborhood-compatible use and reinvesting in an underutilized property. The proposal supports local economic activity and employment opportunities while maintaining compatibility with surrounding residential uses. Letters of support from the Hampden Village Merchants Association and the Hampden Community Council indicate that community outreach has occurred and local groups support the rezoning.

**NOTIFICATION:**

The Hampden Village Merchants Association and the Hampden Community Council were notified of this action and provided letters of support. Notification was also given via the required posting on the property, as well as via the GovDelivery service.



**Tim Keane**  
**Director**