



BALTIMORE CITY COUNCIL LAND USE & TRANSPORTATION COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the Land Use & Transportation Committee is committed to shaping a reliable, equitable, and sustainable future for Baltimore's land use and transportation systems. Through operational oversight and legislative action, the committee aims to develop and support lasting solutions grounded in principles of good governance.

The Honorable Ryan Dorsey

CHAIR

PUBLIC HEARING

4/30/2026

9:00 AM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

25-0142

Rezoning – 3605 Hickory Avenue

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*Staff: Paroma Nandi
(Paroma.Nandi@baltimorecity.gov)*

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(Anthony.Leva@baltimorecity.gov)*

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*Staff: Ethan Navarre
(Ethan.Navarre@baltimorecity.gov)*

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(Anthony.Leva@baltimorecity.gov)*

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*Staff: Paroma Nandi
(Paroma.Nandi@baltimorecity.gov)*

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(Juliane.Jemmott@baltimorecity.gov)*

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Staff: Ethan Navarre (Ethan.Navarre@baltimorecity.gov)

**LAND USE & TRANSPORTATION COMMITTEE****The Honorable Ryan Dorsey
CHAIR****Bill Hearing***25-0142***Rezoning – 3605 Hickory Avenue**

Sponsor: Council Member James Torrence District 7

Purpose: 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.

REPORTING AGENCIES

Law Department	Approve for Form & Sufficiency
Board of Municipal and Zoning Appeals	
Planning Commission	Approve
Department of Transportation	Without Recommendation
Department of Housing & Community Development	Favorable
Baltimore City Fire Department	No Recommendation

BACKGROUND**City Law**

The Baltimore City Code (Article 32 Zoning) allows for the rezoning of property as a legislative authorization under certain circumstances (5-508(b)):

- a. A substantial change in the character of the neighborhood where the property is located
- b. A mistake in the existing zoning classification

If one of these conditions is found, then the City Council is required to find the following facts in order to authorize the rezoning:

- Population changes.
- The availability of public facilities.
- Present and future transportation patterns.

- Compatibility with existing and proposed development for the area.
- The recommendations of the City agencies and officials, and the proposed amendment’s consistency with the City’s Comprehensive Master Plan.
- Existing uses of property within the general area of the property in question.
- The zoning classification of other property within the general area of the property in question.
- The suitability of the property in question for the uses permitted under its existing zoning classification.
- 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.

Bill Overview

If enacted, this bill would change the zoning designation of the property from R-7 to IMU-1. The site has a two-story industrial building with approximately 18,000 square feet. Located in the Hampden community just north of the commercial area of 36th Street known as “The Avenue.”

The applicant, in their proposed finding of facts that they have submitted to the committee, indicates that the building will be converted to a restaurant and a liquor distillation facility. According to the report from the Department of Planning staff, the building was approved to be a warehouse and a site for the manufacturing of leather pet products in 2015, which was a non-conforming use.

Planning staff indicates that the current zoning designation is a mistake, as evidenced by the change in zoning for all properties except this one in the 2017 Transform Baltimore rezoning. That change in all the surrounding properties from R-7 to R-6 indicates that 3605 Hickory Ave is different from the others, and the higher density zoning was kept even though the building was not then nor now a residential property. Planning notes in its report that the IMU designation is meant to encourage the reuse of formerly industrial sites.

The bill has the support of both the Hampden Village Merchants Association & Hampden Community Council.

FISCAL NOTE

This bill will not have a direct impact on City finances.

Analysis by: Tony Leva
Analysis Date: 4/23/2026

Direct Inquiries to: Anthony.Leva@baltimorecity.gov

**CITY OF BALTIMORE
COUNCIL BILL 25-0142
(First Reader)**

Introduced by: Councilmember Torrence
Cosponsored by: Councilmember Ramos
At the request of: Shane Mitchell
Address: c/o Chase Hoffberger
225 E Redwood Street, Suite 400G
Baltimore, MD 21202
Telephone: (512) 536-0763

Introduced and read first time: December 15, 2025

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 style="text-align:center">**Rezoning – 3605 Hickory Avenue**

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

6 BY amending

7 Article - Zoning
8 Zoning District Maps
9 Sheet 25
10 Baltimore City Revised Code
11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
13 Sheet 25 of the Zoning District Maps is amended by changing from the R-7 Zoning District to
14 the IMU-1 Zoning District the property known as 3605 Hickory Avenue (Block 3539, Lot 003),
15 as outlined in red on the plat accompanying this Ordinance.

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

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

Council Bill 25-0142

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

BALTIMORE CITY COUNCIL



LAND USE & TRANSPORTATION COMMITTEE

25-0142

Rezoning – 3605 Hickory Avenue

Agency Reports

CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON,
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

April 7, 2026

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

Re: City Council Bill 25-0142 - Rezoning – 3605 Hickory Avenue

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0142 for form and legal sufficiency. The bill changes the zoning for the property known as 3605 Hickory Avenue (Block 3539, Lot 003), from the R-7 Zoning District to the IMU-1 Zoning District. The ordinance would take effect on the date of its enactment.

Standards for Rezoning

The Mayor and City Council may permit a piecemeal rezoning only 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 Land Use Art., § 10-304(b)(2); Baltimore City Code, Art. 32, §§ 5-508(a) and (b)(1).

The “change-mistake” rule is a rule of the either/or type. The “change” half of the “change-mistake” rule requires that, in order for a piecemeal Euclidean zoning change to be approved, there must be a satisfactory showing that there has been significant and unanticipated change in a relatively well-defined area (the “neighborhood”) surrounding the property in question since its original or last comprehensive rezoning, whichever occurred most recently. The “mistake” option of the rule requires a showing that the underlying assumptions or premises relied upon by the legislative body during the immediately preceding original or comprehensive rezoning were incorrect. In other words, there must be a showing of a mistake of fact. Mistake in this context does not refer to a mistake in judgment.

Mayor and Council of Rockville v. Rylyns Enterprises, Inc., 372 Md. 514, 538-39 (2002).

Legal Standard for Change

“It is unquestioned that the City Council has the power to amend its City Zoning Ordinance whenever there has been such a change in the character and use of a use district since the original enactment that the public health, safety, morals, or general welfare would be promoted by a change in the regulations.” *Cassel v. Mayor and City Council of Baltimore*, 195 Md. 348, 354 (1950). The Mayor and City Council must find facts of a substantial change in the character and the use of the district since the comprehensive rezoning of the property on June 5, 2017, and that the rezoning will promote the “public health, safety, morals, or general welfare” and not merely advantage the property owner. *Id.* at 354.

To constitute a substantial change, courts in Maryland want to see facts of a “significant and unanticipated change in a relatively well-defined area.” *Rylins Enterprises*, 372 Md. at 538. The “‘neighborhood’ must be the immediate neighborhood of the subject property, not some area miles away; and the changes must occur in that immediate neighborhood of such a nature as to have affected its character.” *Clayman v. Prince George’s County*, 266 Md. 409, 418 (1972). The changes are required to be physical. *Anne Arundel County v. Bell*, 442 Md. 539, 555 (2015) (citing *Montgomery County v. Woodward & Lothrop*, 280 Md. 686, 712–13 (1977)). However, those physical changes cannot be infrastructure such as sewer or water extension or road widening. *Clayman*, 266 Md. at 419. And the physical changes have to be shown to be unforeseen at the time of the last rezoning. *County Council of Prince George’s County v. Zimmer Development Co.*, 444 Md. 490, 512 (2015). Contemplated growth and density are not sufficient. *Clayman*, 266 Md. at 419.

In determining whether the change benefits only the property owner, courts look, in part, to see if a similar use exists nearby of which the community could easily take advantage. *Cassel*, 195 Md. at 358 (three other similar uses only a few blocks away lead to conclusion that zoning change was only for private owner’s gain).

Legal Standard for Mistake

To sustain a piecemeal change on the basis of a mistake in the last comprehensive rezoning, 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 v. Spring*, 109 Md. App. 692, 698, (1996) (citation omitted). In other words, “[a] conclusion based on 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.

The Supreme Court of Maryland (formerly the Court of Appeals of Maryland) has said it is not sufficient to merely show that the new zoning would make more logical sense. *Greenblatt v. Toney Schloss Properties Corp.*, 235 Md. 9, 13-14 (1964). Nor are courts persuaded that the fact that a more profitable use of the property could be made if rezoned is evidence of a mistake in its current zoning. *Shadynook Imp. Ass'n v. Molloy*, 232 Md. 265, 272 (1963). Courts have also been skeptical of finding a mistake when there is evidence of careful consideration of the area during the past comprehensive rezoning. *Stratakis v. Beauchamp*, 268 Md. 643, 653-54 (1973).

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.*

Spot Zoning

The City must find sufficient facts for a change or mistake because “Zoning is permissible only as an exercise of the police power of the State. When this power is exercised by a city, it is confined by the limitations fixed in the grant by the State and to the accomplishment of the purposes for which the State authorized the city to zone.” *Cassel*, 195 Md. at 353.

In piecemeal rezoning bills, like the bill under review, if there is not a factual basis to support the change or the mistake, then rezoning is considered illegal spot zoning. *Id.* at 355. Spot zoning “has appeared in many cities in America as the result of pressure put upon councilmen to pass amendments to zoning ordinances solely for the benefit of private interests.” *Id.* It 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.” *Id.* It is “therefore, universally held 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 it is not in accordance with the comprehensive zoning plan and is merely for private gain.” *Id.*

However, “a use permitted in a small area, which is not inconsistent with the use to which the larger surrounding area is restricted, although it may be different from that use, is not ‘spot zoning’ when it does not conflict with the comprehensive plan but is in harmony with an orderly growth of a new use for property in the locality.” *Id.* The example given was “small districts within a residential district for use of grocery stores, drug stores and barber shops, and even gasoline filling stations, for the accommodation and convenience of the residents of the residential district.” *Id.* at 355-356. Therefore, the Mayor and City Council must show how the contemplated use is consistent with the character of the neighborhood. *See, e.g., Tennison v. Shomette*, 38 Md. App. 1, 8 (1977) (cited with approval in *Ryllys*, 372 Md. at 546; *accord Mayor and City Council of Baltimore v. Byrd*, 191 Md. 632, 640 (1948)).

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.” *Zimmer Dev. Co.*, 444 Md. at 510 (*quoting Cremins v. Cnty. Comm’rs of Washington Cnty.*, 164 Md. App. 426, 438 (2005)); *see also White*, 109 Md. App. at 699 (“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.’”).

Findings of Fact

The City Council is required to make the following findings of fact in determining whether to permit rezoning based on mistake or change in the character of the neighborhood:

- (i) population change;
- (ii) the availability of public facilities;
- (iii) the present and future transportation patterns;
- (iv) compatibility with existing and proposed development;
- (iv) the recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals; and
- (v) the relationship of the proposed amendment to the City’s plan.

Md. Code, Land Use, § 10-304(b)(1); Baltimore City Code, Art. 32, § 5-508(b)(2).

Article 32 of the City Code requires the Council to consider the following additional factors:

- (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).

Planning Commission Recommendation

The Planning Commission Staff Report (“Report”) takes the position that this rezoning is justified based on a mistake in the zoning designation of the subject property at the time of the last comprehensive rezoning in 2017. The Report notes that prior to 2017 the subject property was zoned R-7, as was much of the surrounding neighborhood. During the 2017 comprehensive rezoning much of the rest of the neighborhood was downzoned to R-6 while the subject property remained in R-7 zoning. The Report states:

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.

The Industrial-Mixed Use (I-MU) zoning designation was added to the City's Zoning Code in the comprehensive 2017 rezoning and was "intended to encourage the reuse of older industrial buildings for light industrial use, as well as a variety of non-industrial uses." Baltimore City Code, Art. 32, § 11-203(a)(1). In 2019, the I-MU zoning district was redesignated as IMU-1 and an IMU-2 zoning district, which prohibited all residential uses, was added. Baltimore City Ordinance 19-244.

The Report notes that the subject property is a former industrial building that the current owner proposes to use as a liquor distillery and restaurant. The building is vacant. A distillery is not a permitted or conditional use in the present R-7 zoning district but is permitted in the proposed IMU-1 (Industrial Mixed Use) district as an Industrial: Light use. Baltimore City Code, Art. 32, Tbl. 9-301, 11-301. The property is improved with a two-story building containing approximately 18,000 square feet of gross floor area. The site is located in the Robert Poole/ACCE and Independence INSPIRE Plan area. As a result, the subject property is within half a mile of the Robert Poole building which houses the Academy for College and Career Exploration and the Independence Local School No. 1 which together serve students from grades 6-12.

The subject parcel is the only one in the immediate area that is zoned R-7. The property is surrounded on all sides by R-6 zoning, which consists primarily of neighborhoods of rowhouse and duplex structures. At the southern tip of the property is an area of C-1 zoning known as "The Avenue." There is no IMU-1 zoning in the area surrounding the subject property. The property is one of the only large non-residential structures on Hickory Avenue. The last authorized use of the property in 2015 was as a manufacturing facility for leather pet products and as a warehouse. These uses are nonconforming with the existing R-7 zoning.

The 2024 Comprehensive Master Plan for the City of Baltimore designates the property as Residential: Higher Density. The Report states that the proposed rezoning does not conform to that designation. However, later in the Report, in the required findings of fact under Section 5-508 it is stated that 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." This second statement indicating conformance with the Master Plan is not consistent with the designation of the property as higher density residential in the Master Plan.

The City Zoning Code states that IMU-1 is intended to encourage the reuse of older industrial buildings, that are often surrounded by residential and non-industrial uses, for light industrial use and a variety of non-industrial uses. Baltimore City Code, Art. 32 § 11-203(a). The IMU-1 district permits a variety of residential uses. Baltimore City Code, Art. 32 § 11-203(b)(1)(i); Baltimore City Zoning Table 11-301. The Report notes that the proposed use of the property aligns with the requirements for IMU-1 zoning. There is no definition for or reference to a distillery in the Zoning Code. The distillery operations appear to come under the definition for Industrial: Light in Section 1-308(b) of Article 32 of the City Code. Both light industrial uses and use as a restaurant are permitted uses in the IMU-1 zoning district. Baltimore City Zoning Table 11-301.

The Report also notes the close proximity of the subject property to the 36th Street commercial district which contains entertainment and restaurant uses. The Report notes that

permitting the property to be rezoned and used for a distillery and restaurant will bring another compatible use to the area. The Report contains an equity analysis which notes the rezoning would allow the reuse of a vacant industrial property and would support local economic activity and employment opportunities while maintaining compatibility with surrounding residential uses.

Process

The City Council is required to hold a quasi-judicial public hearing with regard to the bill where 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. Md. Code, Land Use, § 10-303(b)(1). After weighing the evidence presented and submitted into the record before it, the Council is required to make findings of fact for each property about the factors in Sections 10-304 and 10-305 of the Land Use Article of the Maryland Code and Section 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 or a change in the character of the surrounding neighborhood; and (2) a new zoning classification for the property, it may adopt these findings and the legal requirements for granting the rezoning would be met.

Additionally, 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 or description of the boundaries of the area affected by the proposed rezoning, 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 near the sidewalk or right-of-way for pedestrians and motorists to view, and at least one sign must be visible from each of the property’s street frontages. Window mounted signs must be posted inside the window glass. 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); see also Md. Code, Land Use, § 10-303 (procedural requirements).

Council Bill 25-0142 is the appropriate method for the City Council to review the facts and determine whether the legal standard for rezoning has been met. If the required findings are made at the hearing and that all procedural requirements are satisfied, the Law Department approves the bill for form and legal sufficiency.


Sincerely yours,



Michele M. Toth
Assistant Solicitor

cc: Ebony Thompson
Councilmember Torrence
Councilmember Ramos

Ethan Hasiuk
Shamoyia Gardiner
Nina Themelis
Ty'lor Schnella
Aaron Degraffenreidt
Hilary Ruley
Jeff Hochstetler
Ashlea Brown
Desiree Luckey
Ahleah Clark

FROM	NAME & TITLE	Eric W. Tiso, Director of Development Oversight and Project Support	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Planning 8 th 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 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: 7th

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 36th 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 36th 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



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Chief James Wallace, Baltimore City Fire Chief, Baltimore City Fire Department (BCFD)
CC	Mayor's Office of Government Relations
DATE	December 19, 2025
SUBJECT	25-0142 Rezoning – 3605 Hickory Avenue

Position: No Recommendation

BILL SYNOPSIS

This bill changes the zoning for the property known as 3605 Hickory Avenue (Block 3539, Lot 003) from the R-7 Zoning District to the IMU-1 Zoning District.

SUMMARY OF POSITION

The Baltimore City Fire Department (BCFD) has no opposition to Council Bills 25-0142. Any fire inspection shall comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. Specifically, it shall comply with the Building, Fire, and Related Codes of Baltimore City 2024 Edition (As enacted by Ord. 24-341) and applicable Maryland laws.

FISCAL IMPACT

This bill will not have an impact financially on the Baltimore City Fire Department.

AMENDMENTS

NA



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Timothy Keane, Acting Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	April 22, 2026
SUBJECT	25-0142 Rezoning – 3605 Hickory Avenue

Position: Favorable

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed 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.

If enacted, City Council Bill 25-0142 would rezone 3605 Hickory Avenue from the R-7 Zoning District to the IMU-1 Zoning District. If approved, this Bill will take effect on the date of its enactment.

SUMMARY OF POSITION

At its regular meeting of January 15, 2026, the Planning Commission concurred with the recommendations of its Departmental staff and recommended that the Bill be approved by the City Council. In their report, the Commission noted that the proposed rezoning would accommodate the redevelopment of a currently vacant industrial building into a distillery and restaurant. Their report also noted that the IMU zoning designation was designed specifically to encourage the reuse of formerly industrial structures for neighborhood-compatible uses. As such, this rezoning would be an ideal application of the IMU-1 designation.

The property in reference is not located within any of DHCD's Impact Investment Areas, Community Development Zones, or Streamlined Code Enforcement area. This rezoning may benefit the Hampden neighborhood by bringing a currently vacant building back into productive use.

FISCAL IMPACT

As drafted, this Bill would have minimal fiscal or administrative impact on DHCD.

AMENDMENTS

DHCD does not seek any amendments to this Bill at this time.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Veronica P. McBeth, Director, Department of Transportation
CC	Mayor's Office of Government Relations
DATE	January 15, 2025
SUBJECT	25-0142 • Rezoning – 3605 Hickory Avenue

Position: Without recommendation

BILL SYNOPSIS

Council Bill 25-0142 would rezone the property known as 3605 Hickory Avenue from the R-7 District to the IMU-1 District. The R-7 District is intended for detached and semi-detached dwellings, rowhouse developments, and larger multi-family developments. The IMU-1 District is generally intended for industrial buildings that are adjacent to existing residential buildings like rowhouses. The building at 3605 Hickory Avenue seems well-suited for the purposes of the IMU-1 District, which includes uses such as live-work dwellings.

SUMMARY OF POSITION

Impacts of this conversion on the right of way or local traffic patterns will be mitigated through interagency project management efforts. At this time, the Department has no major concerns and therefore provides no recommendation on Council Bill 25-0142.

BALTIMORE CITY COUNCIL



LAND USE & TRANSPORTATION COMMITTEE

25-0142

Rezoning – 3605 Hickory Avenue

Public Testimony



HAMPDEN VILLAGE MERCHANTS ASSOCIATION

November 21, 2025

To Whom It May Concern:

The Hampden Village Merchants Association supports the Baltimore Spirits Company's plan to redevelop 3605 Hickory in a manner that would allow for its use as a distillery and restaurant.

Our membership voted unanimously in support of Baltimore Spirit Company's proposed rezoning of 3605 Hickory Avenue from R-7 to IMU-1. We believe the redevelopment of this property from a dormant, once industrial location to an active distillery and vibrant associated restaurant will be a welcome addition to our local business community.

The Hampden Village Merchants Association represents 150+ businesses and organizations in greater- Hampden area (including Remington, Medfield, Woodberry, and Roland Park).

Should you have any questions regarding this decision please feel free to contact me directly.

Sincerely,

Benn Ray

Benn Ray

President

Hampden Village Merchants Association

3620 Falls Rd.

Baltimore, MD 21211

410-662-4444

shophampden@gmail.com



November 14, 2025

James Torrence c/o
Baltimore City Council
100 Holliday Street, Suite 545
Baltimore, MD 21202

Councilman Torrence,

I am writing on behalf of the Hampden Community Council (HCC), which serves as the neighborhood association for Hampden.

Over the past six weeks, the HCC, through its Board of Directors, Zoning and Urban Land Use Committee, and general body, has engaged in a series of discussions with the project team behind the proposed redevelopment of 3605 Hickory Avenue. This group would like to use the building as a distillery and restaurant to be operated by the Baltimore Spirits Company.

The HCC welcomed a presentation on this proposed use at our November meeting of the general body. The HCC understands that any opportunity to redevelop 3605 Hickory in a manner that would allow for its use as a distillery would first require a rezoning of the property from its current R-7 designation to IMU-1. The HCC understands that the IMU-1 zoning designation was created in 2017 to facilitate the productive re-use of old industrial buildings that are located alongside residential properties. Knowing that this building has been used for manufacturing and industrial purposes since before 1933, the HCC agrees with the project team that the comprehensive rezoning that year overlooked 3605 Hickory as one such building.

Following their presentation, the present voting members of the HCC's general body voted unanimously in favor of supporting a rezoning of 3605 Hickory Avenue from R-7 to IMU-1. We respectfully request that you introduce legislation to begin the rezoning process for this property.

The HCC extends this support with the understanding that the redevelopment process is only beginning, and that ample opportunities remain for our body to provide insight and perspective. Notably, the rezoning process involves two public hearings; and use of the property as a distillery and restaurant will require an application for a liquor license, which will allow for continued community engagement. This understanding is shared by the project team, and we look forward to working with them during the course of the property's development.

We appreciate your consideration and urge you to introduce legislation to rezone this property at your earliest convenience.

Thank you,

A handwritten signature in blue ink, appearing to read "Blaise Ahearn", is written over a light blue horizontal line.

Blaise Ahearn
Vice President, Hampden Community Council Board of Directors
Zoning & Land Use Committee Chair

BALTIMORE CITY COUNCIL



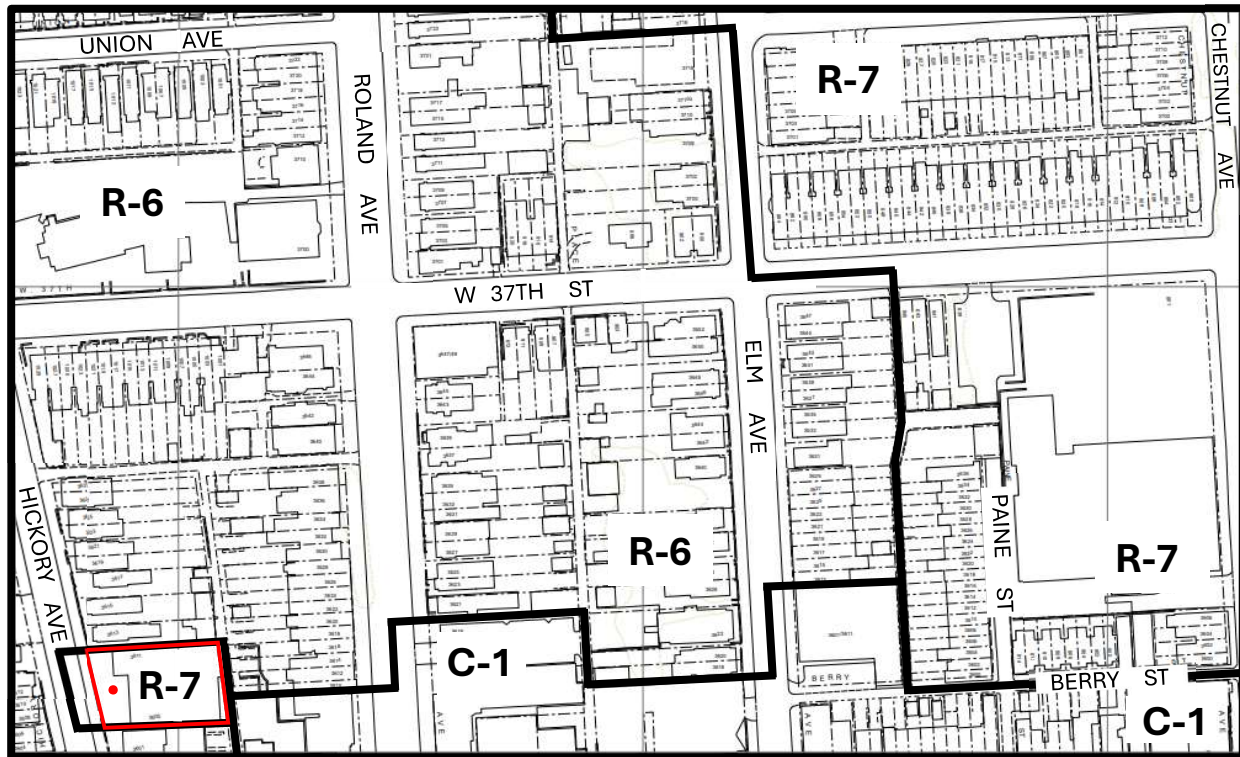
LAND USE & TRANSPORTATION COMMITTEE

25-0142

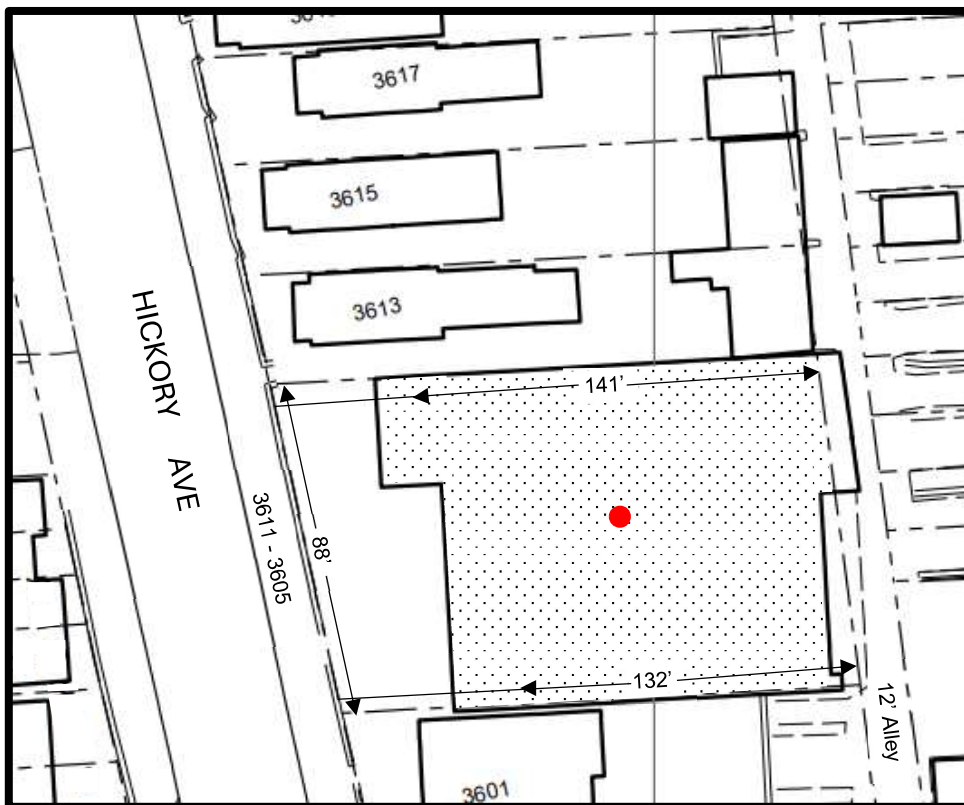
Rezoning – 3605 Hickory Avenue

Additional Materials

**SHEET NO. 25 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 50'

Note:
In Connection With The
Property Known As No. 3605-
3611 HICKORY AVENUE.
The Applicant Wishes To
Request The Rezoning Of The
Aforementioned Property From
R-7 Zoning District to IMU-1
Zoning District, As Outlined In
Red Above

WARD 13 SECTION 2
BLOCK 3539 LOT 3

MAYOR

PRESIDENT CITY COUNCIL

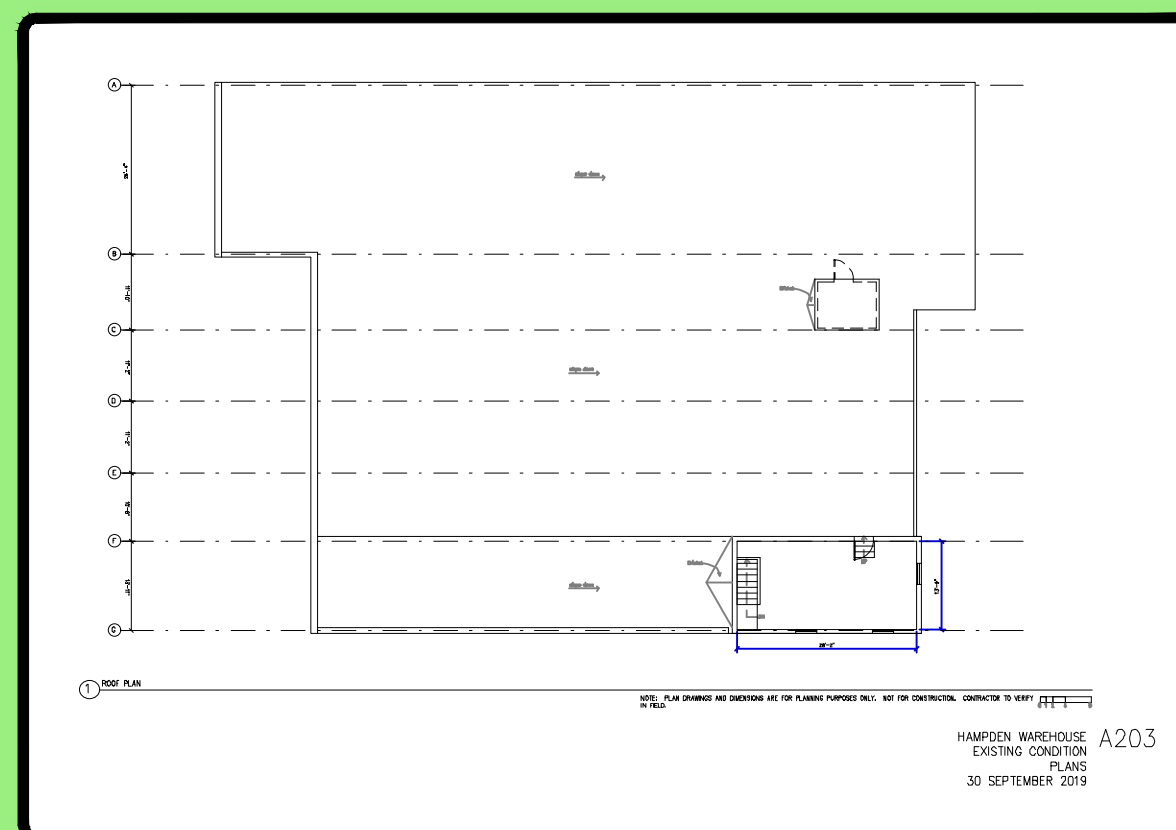


**Exist'g 2-Story
Brick & Frame
Building**

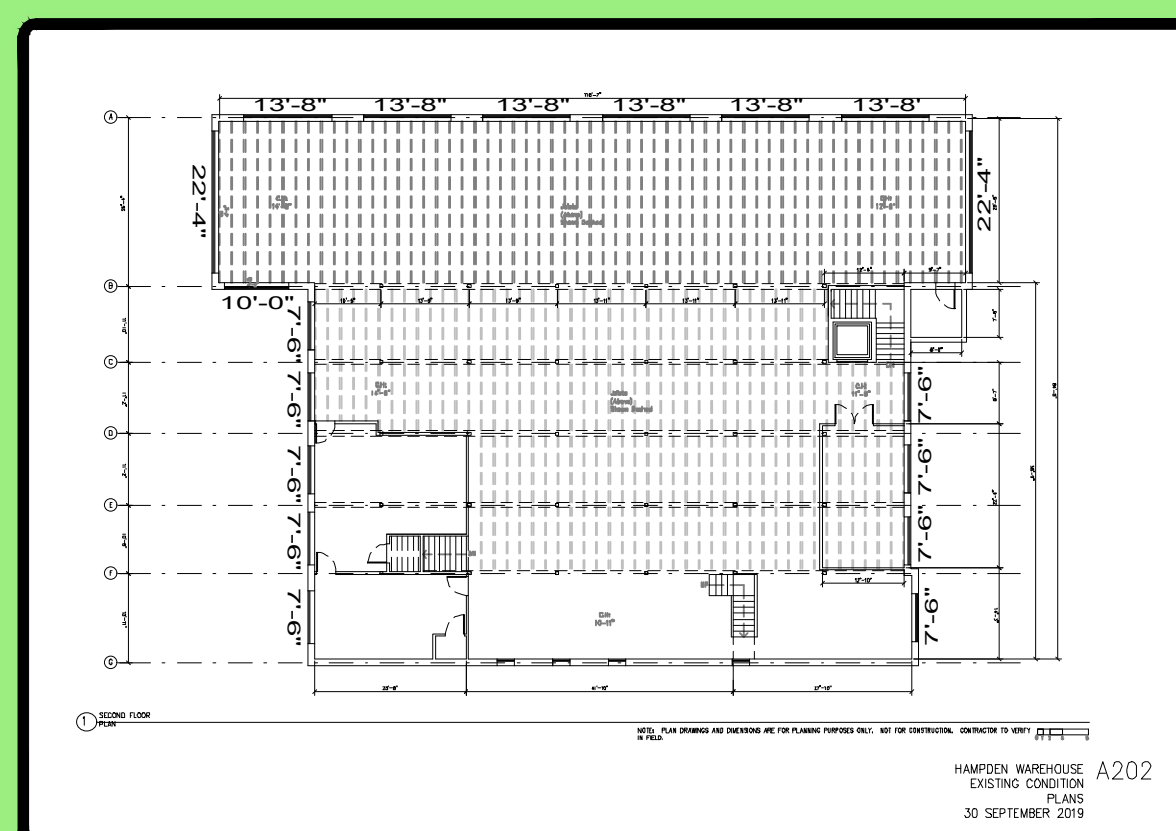
Aluminum Storefront Schedule

1	8	5	2	1
8'-0" w OP'GS	7'-6" w OP'GS	13'-8" w OP'GS	22'-4" w OP'GS	10'-0" w OP'GS
72 SQ FT	67.5 SQ FT	123 SQ FT	201 SQ FT	90 SQ FT
73	540	738	402	90
1,843 x 2flrs = 3,685 sq ft		3,685 x \$50 =		9'-0" HT WINDOW OP'GS

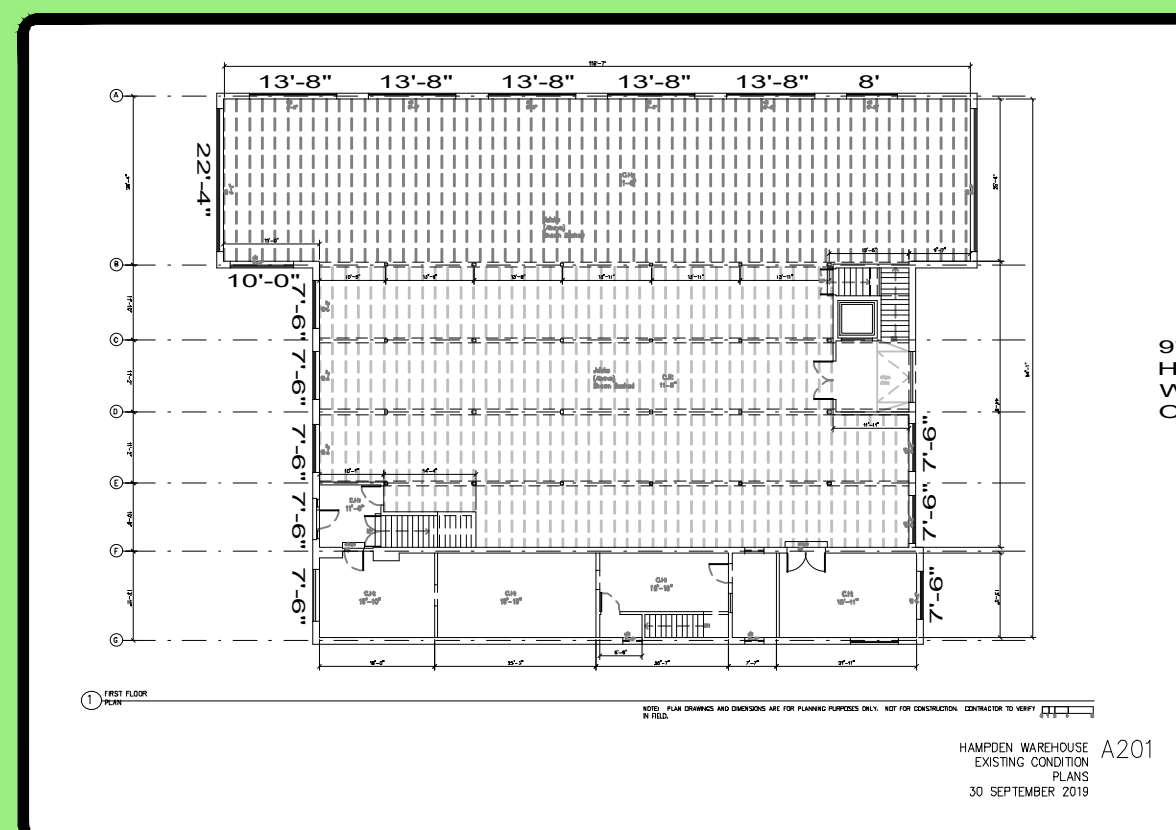
1/16" = 1'-0" Scale



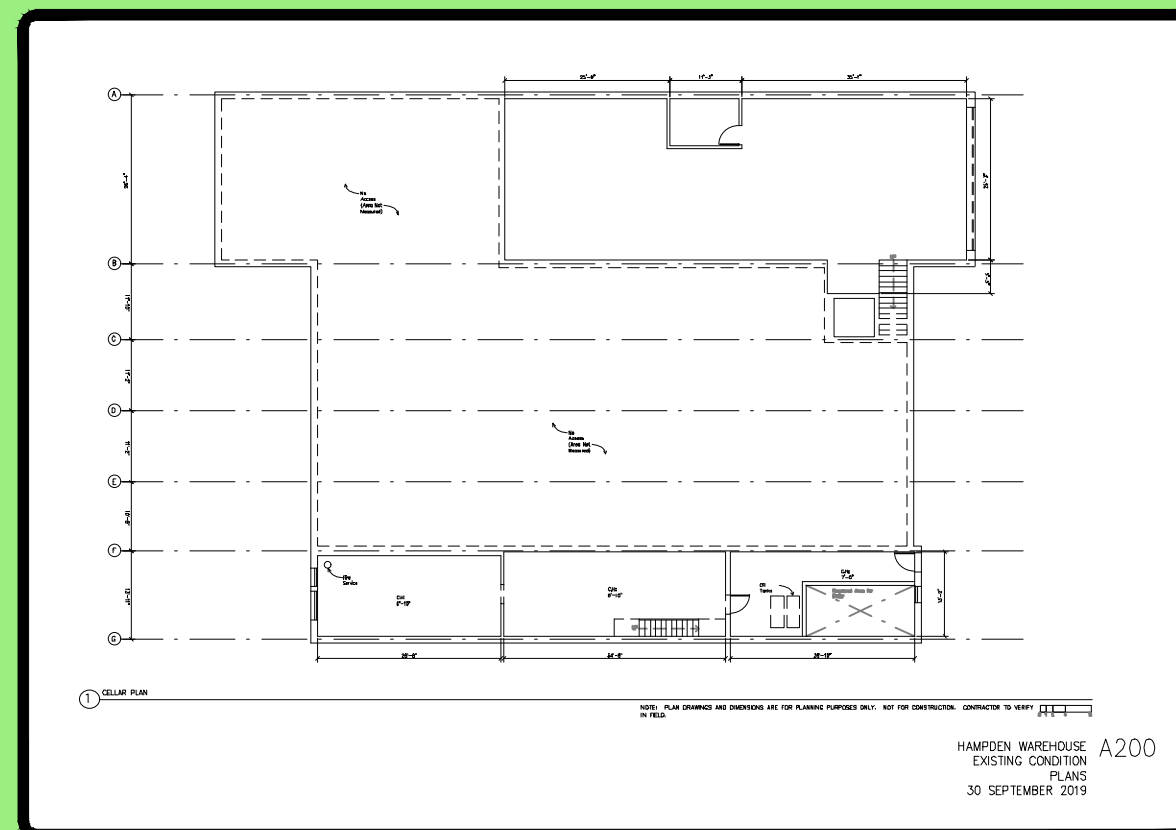
1" = 30'-0" Scale



1" = 30'-0" Scale



1" = 30'-0" Scale



1" = 30'-0" Scale

Location Plan



410 727-5588
www.polan.org

12239 LONG GREEN PIKE
GLEN ARM, MD 21057



Adaptive Re-Use

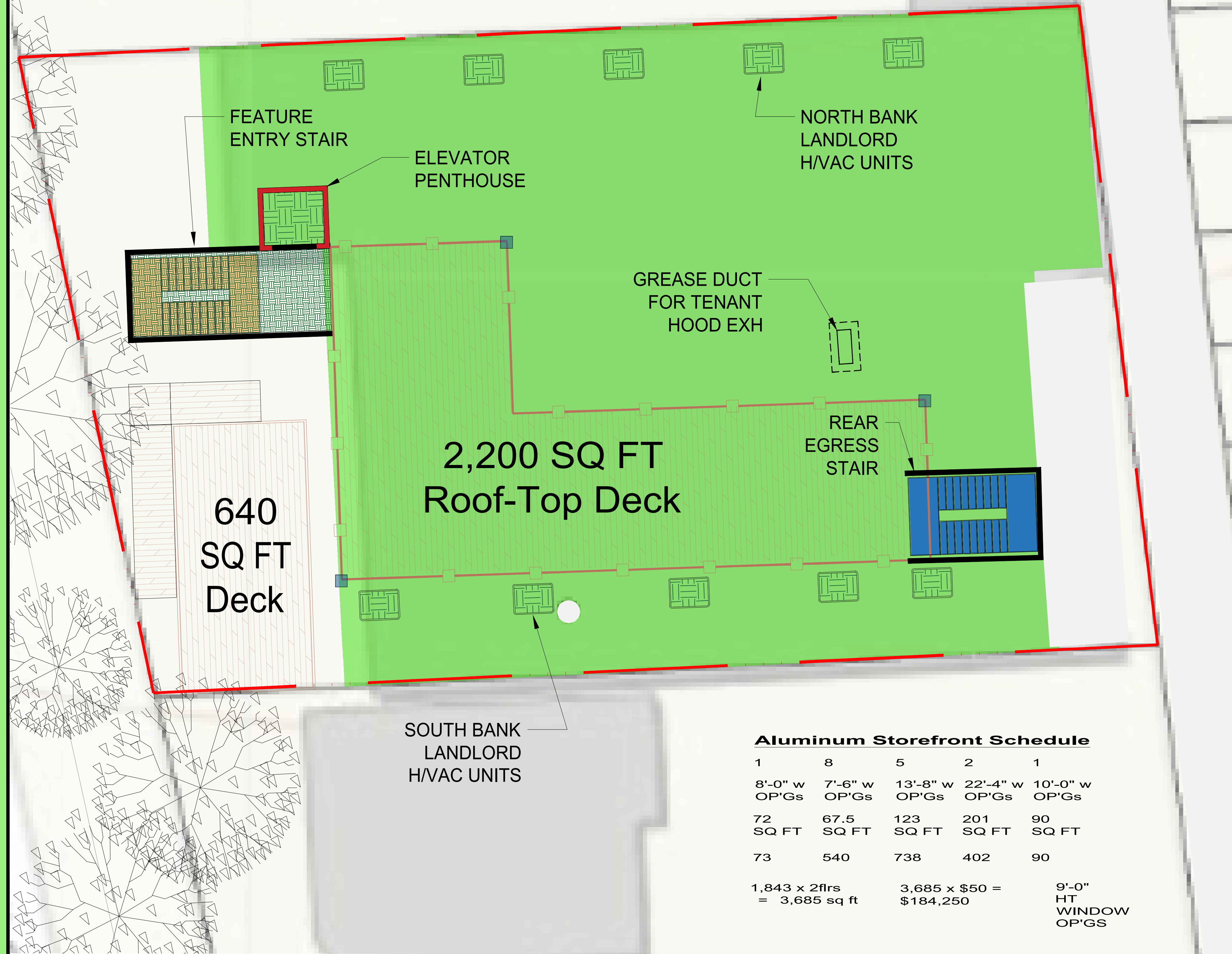
3605 Hickory Avenue

Baltimore, MD 21211

TITLE:	Existing Cond's
SCALE:	as noted
DRAWN BY:	
CAD FILE:	

DATE	DWG. NO.
8/21/2025	sk1

S c h e m a t i c



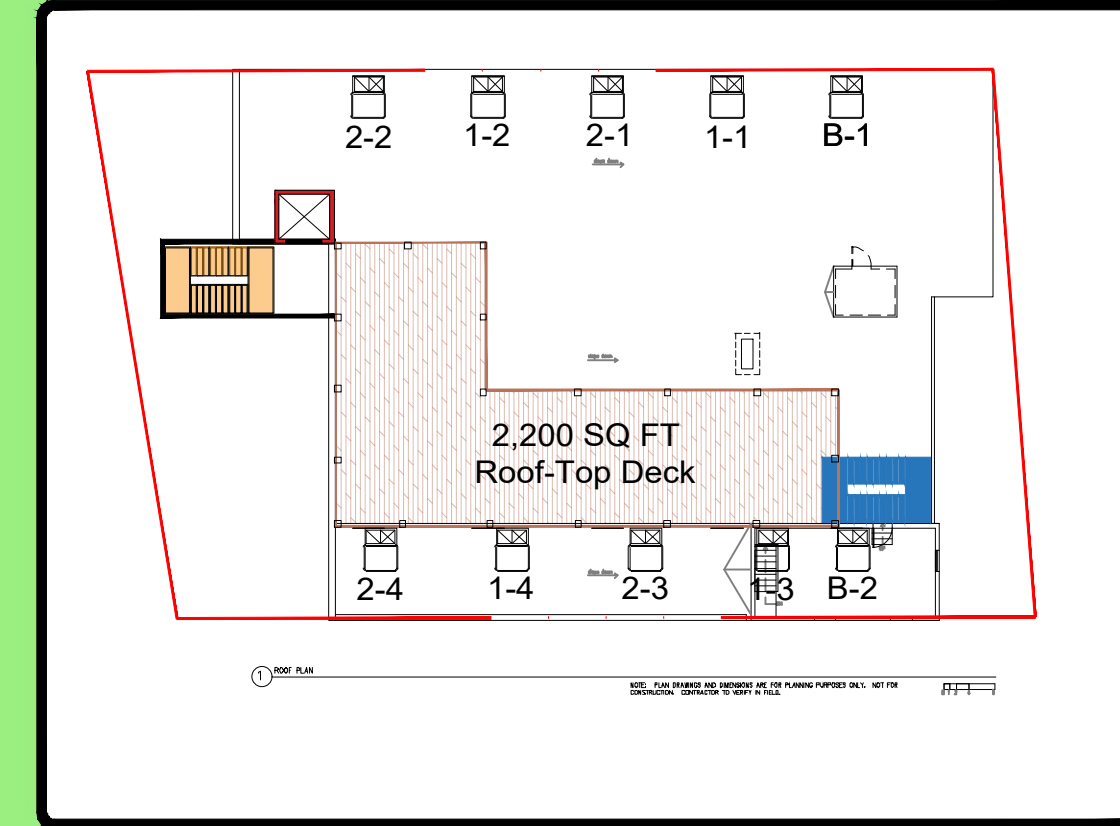
2,200 SQ FT
Roof-Top Deck

640
SQ FT
Deck

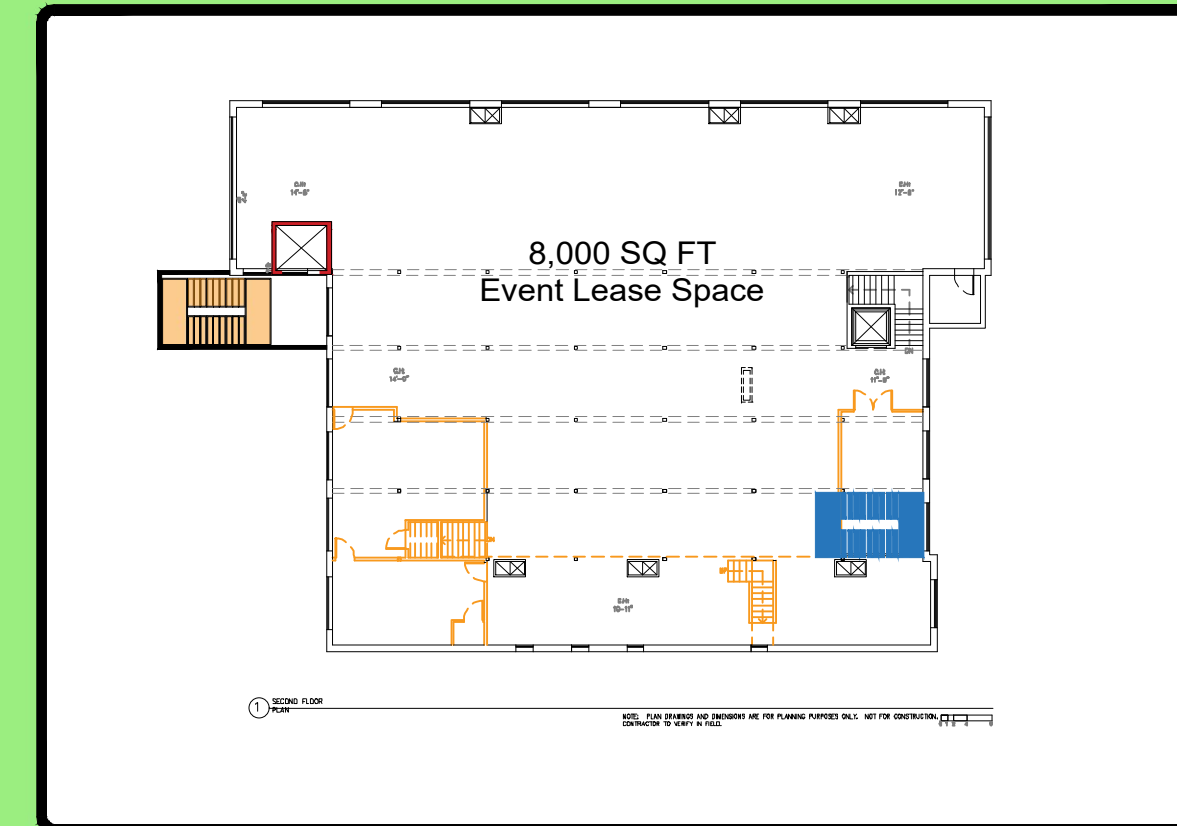
Aluminum Storefront Schedule

1	8	5	2	1
8'-0" w OP'GS	7'-6" w OP'GS	13'-8" w OP'GS	22'-4" w OP'GS	10'-0" w OP'GS
72 SQ FT	67.5 SQ FT	123 SQ FT	201 SQ FT	90 SQ FT
73	540	738	402	90
1,843 x 2flrs = 3,685 sq ft		3,685 x \$50 = \$184,250		9'-0" HT WINDOW OP'GS

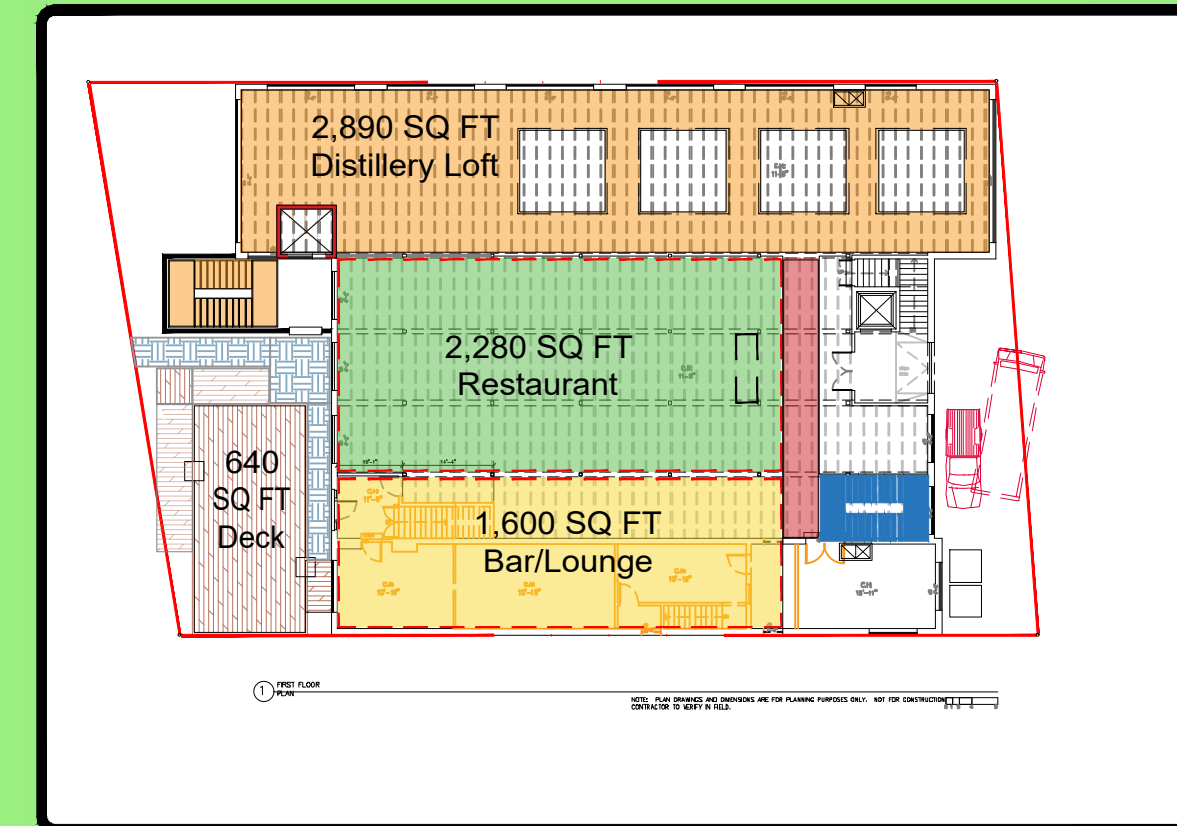
1/8" = 1'-0" Scale



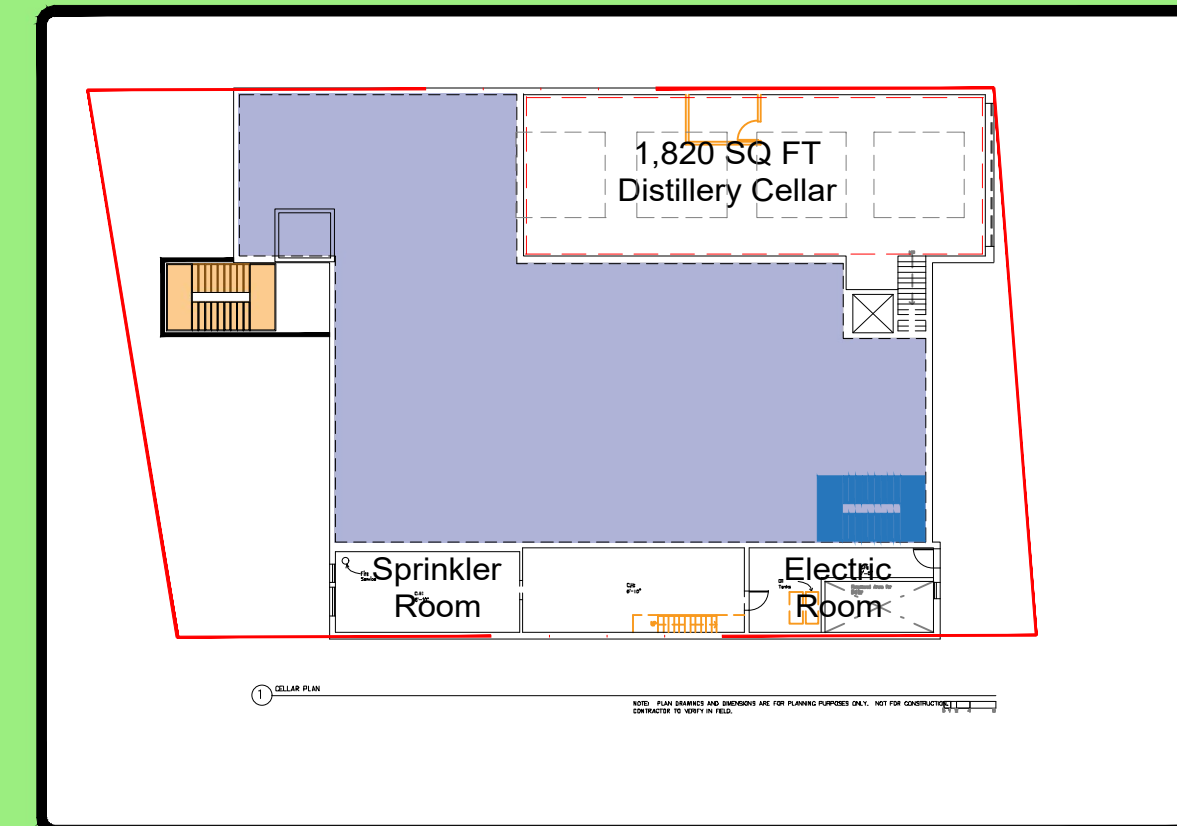
1" = 30'-0" Scale



1" = 30'-0" Scale



1" = 30'-0" Scale



1" = 30'-0" Scale



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www.polan.org

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GLEN ARM, MD 21057



Adaptive Re-Use

3605 Hickory Avenue

Baltimore, MD 21211

TITLE: Existing Cond's
SCALE: as noted

DRAWN BY:

CAD FILE:

DATE: 8/21/2025

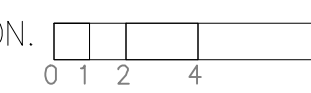
DWG. NO.: sk2

Schematic Upper Level Floor Plan



1 SECOND FLOOR PLAN

NOTE: PLAN DRAWINGS AND DIMENSIONS ARE FOR PLANNING PURPOSES ONLY. NOT FOR CONSTRUCTION. CONTRACTOR TO VERIFY IN FIELD.



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GLEN ARM, MD 21057



Adaptive Re-Use

3605 Hickory Avenue
Baltimore, MD 21211

TITLE: Schematic Layout

SCALE: 3/16"=1'-0"

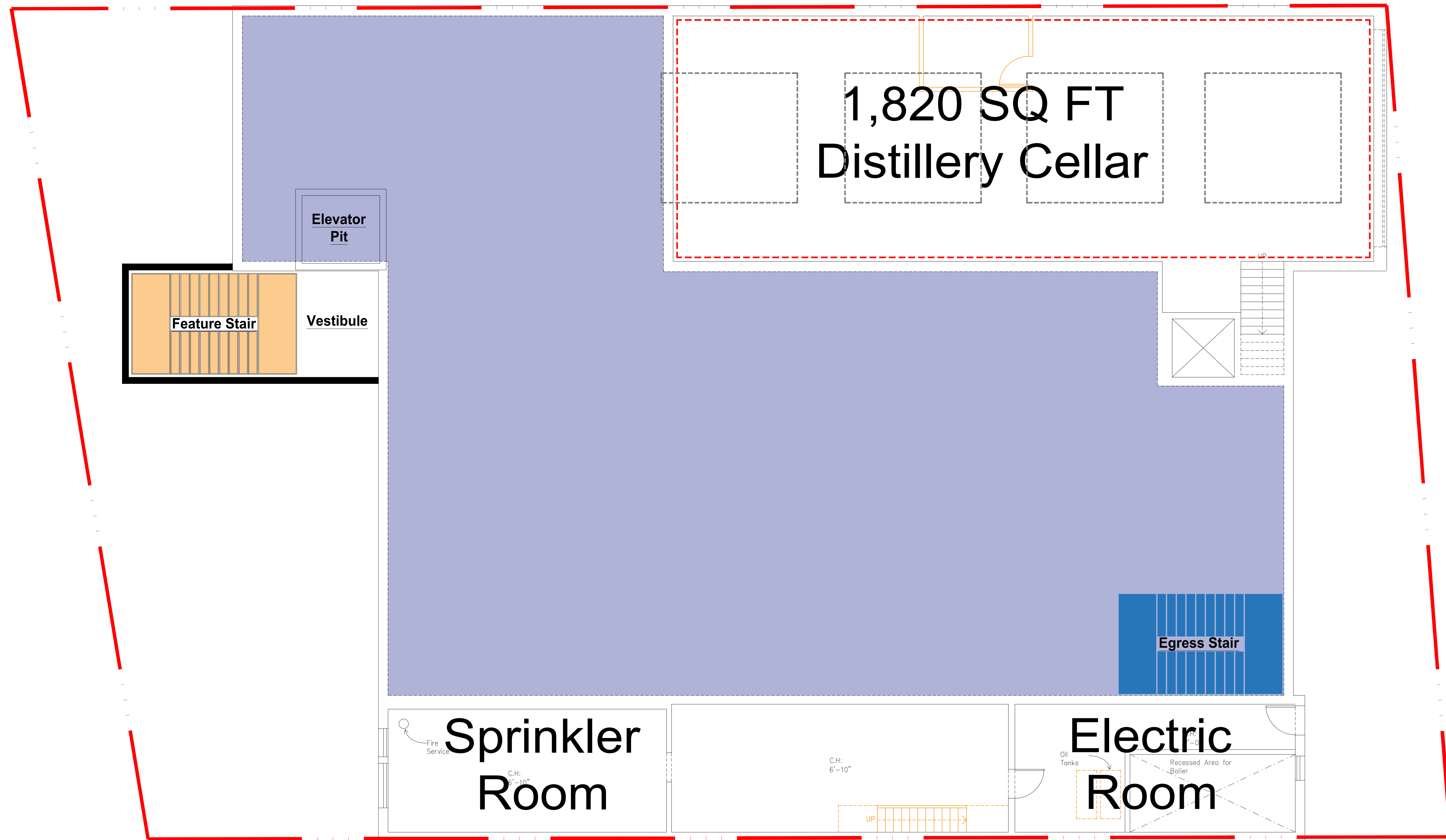
DRAWN BY:

CADFILE:

DATE: 8/21/2025

DWG. NO.: sk3

Schematic Lower Level Floor Plan



1 CELLAR PLAN

NOTE: PLAN DRAWINGS AND DIMENSIONS ARE FOR PLANNING PURPOSES ONLY. NOT FOR CONSTRUCTION. CONTRACTOR TO VERIFY IN FIELD.



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12239 LONG GREEN PIKE
GLEN ARM, MD 21057



Adaptive Re-Use

3605 Hickory Avenue
Baltimore, MD 21211

TITLE: Schematic Layout

SCALE: 3/16"=1'-0"

DRAWN BY:

CAD FILE:

DATE: 8/21/2025

DWG. NO.: sk5

Baltimore City Council
Certificate of Newspaper ad - Public Hearing Notice

City Council Bill No.: CCB25-056

Today's Date: 4.16.26

Baltimore City

BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 25-0142

The Land Use and Transportation Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 25-0142 on April 30, 2026, at 9:00 a.m. in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public may be able to observe the hearing virtually, depending on the availability of the technology, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

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

Applicant: 3605 Hickory Ave LLC

For more information, contact the Committee Staff at (410) 396-1001.

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

RYAN DORSEY
Chair

Address: 3605 Hickory

Date Posted: 4.16.26

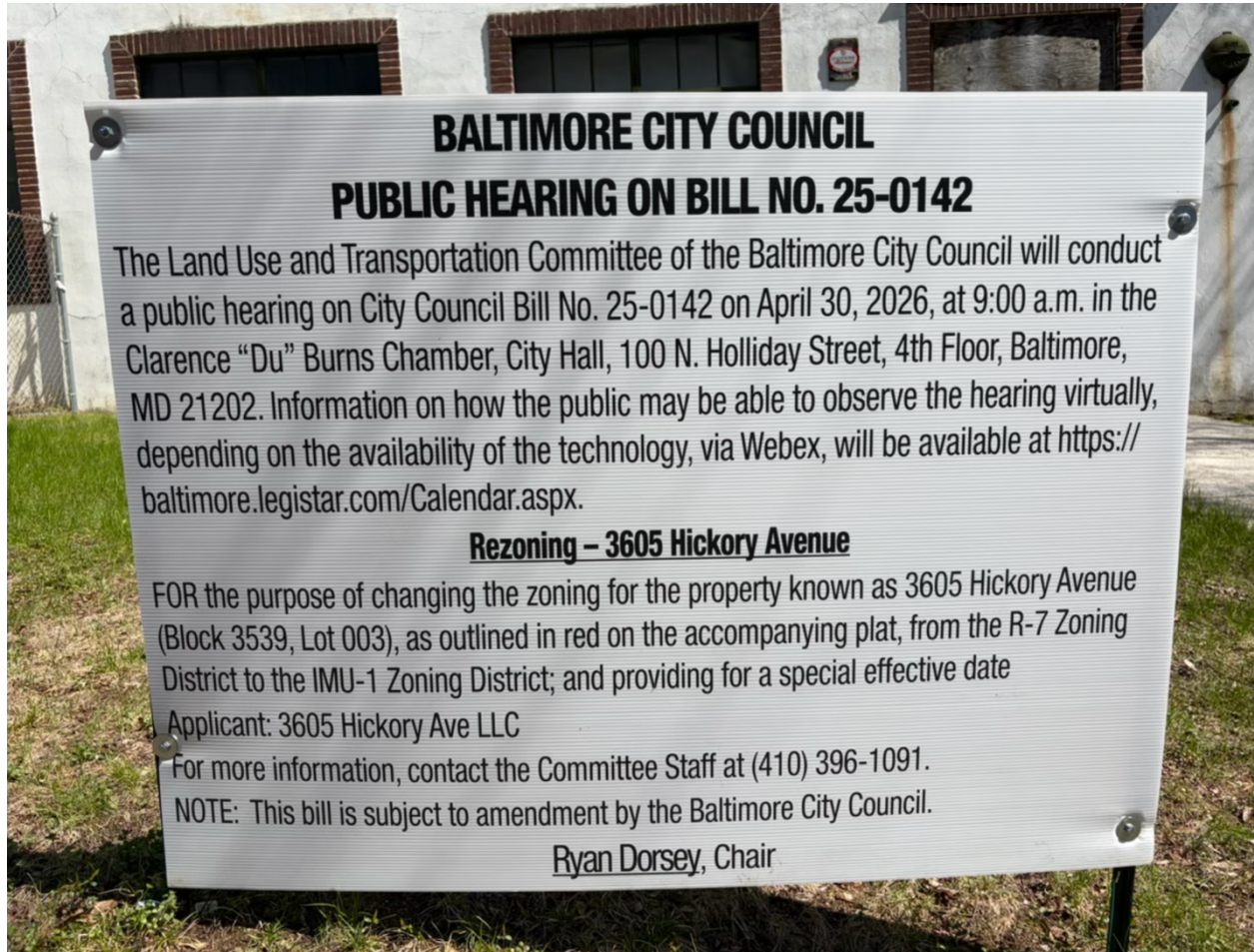
ap15 4163537

Name: Chase Hoffberger

Address: 225 E Baltimore Street Suite 400g

Telephone: 5125360763

Applicant or Representative Signature: Chase Hoffberger



Address: 3605 Hickory

Date Posted: 3.29.26

Name: Chase Hoffberger

Address: 225 E Redwood Street Suite 400G Baltimore MD 21202

Telephone: 512-536-0763

Applicant or Representative Signature: *Charles Hoffberger*

Email to: Anthony.Leva@BaltimoreCity.Gov

FINDINGS OF FACT

To: The Mayor and City Council of Baltimore
From: Chase Hoffberger, on behalf of 3605 Hickory Ave, LLC
Date: December 15, 2025
Re: CCB25-0142, to rezone 3605 Hickory Avenue from R-7 to IMU-1

At the request of 3605 Hickory Ave, LLC, District 7 Councilman James Torrence has introduced legislation to rezone 3605 Hickory Avenue from R-7 to IMU-1.

The subject property is a 12,000-square-foot lot in Hampden, immediately north of 36th Street, a commercial strip known as “The Avenue.” It is improved by a three-story, 18,000-square-foot warehouse. Since its construction in 1920, the warehouse has been used for the manufacturing of clothing and leather pet products, and as a storage facility for some of the neighborhood’s furniture shops. The property is abutted to the north by rowhouse dwellings that are zoned R-7 and to the south by 1014 W. 36th Street, a consolidated mixed-use property that includes the Hampden Yards beer garden (zoned R-6) and the Co-Balt Workspace (C-1).

Legislation to rezone 3605 Hickory Avenue represents the first stage in a process that will convert the property’s use from its historically nonconforming industrial use to a liquor distillery and restaurant, to be operated by Baltimore Spirits Co., currently headquartered at Union Collective. The distillery’s operators have met with the Hampden Community Council and Hampden Village Merchants Association about the rezoning and earned the support of both bodies.

1. Map Amendments & Required Findings of Fact

Per Zoning Code § 5-508(b)(1), Baltimore’s City Council may approve the legislative authorization for a rezoning 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 zoning classification. The applicant proffers that a mistake was made with regard to this property’s zoning in 2017, during Transform Baltimore.

One express goal of Transform Baltimore was to reduce the City’s number of nonconforming uses and structures. A method for achieving this goal was the creation of the Industrial-Mixed Use districts, which were created to “encourage the reuse of older industrial buildings for light industrial use, as well as a variety of non-industrial uses.” The designation targeted historically industrial properties that “are often surrounded by residential and other non-residential uses.” The Code split the IMU classification into two subdistricts. The IMU-1 district is the subdistrict geared toward “industrial buildings that are adjacent to existing residential buildings, typically rowhouses.”

IMU-1’s intent aligns with the characteristics of 3605 Hickory Avenue: The property is improved by an old industrial building that has outlived its original use and would benefit from new use

options, and it is located between commercial properties and rowhouse dwellings. The property should have been flagged for a rezoning during the last comprehensive rezoning, when a focus was put on identifying properties for IMU-1 use. This legislation proposes to correct the mistake.

Notably, the language for IMU-1 zoning consistently alludes to properties and buildings, not blocks, neighborhoods, or zoning districts. This distinction suggests that IMU-1 was created to allow City Planners to identify singular buildings that aligned with the new district's intent, and to rezone the properties accordingly. In that sense, a rezoning to IMU-1 for a property that meets the characteristics of IMU-1 zoning is *de facto* not spot zoning, since the district was created to include specific properties that would be a good fit for a new type of zoning.

In making the determination required by § 5-508(b)(1), the City Council must also make findings of fact that address:

A. Population changes

No significant population changes have occurred in the immediate area since the adoption of Transform Baltimore. However, the character of Hampden has continued to progress toward that of an entertainment-friendly residential district, particularly to the immediate south of the subject property.

B. The availability of public facilities

The area is adequately served by existing municipal, sewer, and public services.

C. Present and future transportation patterns

The property is served by multiple bus lines along Roland Avenue and 36th Street, and accessible by car, bike, or foot.

D. Compatibility with existing and proposed development for the area

The property's proximity to 36th Street means that it is part of an entertainment district that is regularly changing and welcoming new businesses and uses.

E. The recommendations of the City agencies and officials

No recommendations have been identified from City agencies or officials that would preclude a rezoning of this property.

F. The proposed amendment's consistency with the City's Comprehensive Master Plan

The proposed amendment aligns with the Comprehensive Master Plan based on the Plan's advocacy for small businesses and culturally integrated neighborhoods that blend live, work, learn, and play. One of the Plan's 12 visions concerns community

design and creating compact, mixed-use, walkable neighborhoods that are consistent with existing community character and located near available transit options.

The proposed amendment supports the Planning Commission's stated recognition that the Land Use Map may contain certain mistakes. In fact, the Comprehensive Master Plan accounts for these potential mistakes: The Map is used to review changes to the zoning map, and notes that rezonings that do not align with the Map are still appropriate if they meet the change or mistake standard of review, as is the case here.

Finally, the Land Use Map promotes the creative reuse of buildings, as proposed in this instance. The subject property is technically feasible for a conversion to multi-family housing and neighborhood commercial establishments. But the property's historic structure and neighborhood context conflicts with multi-family housing at this scale. A creative reuse that blends industrial components with commercial activity is more suitable.

2. Additional Standards

In addition to the necessary findings of fact outlined in § 5-508(b)(2), the Zoning Code requires that the City Council consider the following additional standards for a rezoning of city land.

A. Existing uses of the property within the general area of the property.

3605 Hickory is located on a demarcation line for commercial and residential uses. The property is abutted to the north by rowhouse dwellings which extend up to the end of the block. These rowhouse properties comprise the majority of Hickory Avenue on both sides heading north.

The properties to the immediate south include Hampden Yards, a beer hall, and the Co-Balt Workspace, where professionals and businesses rent office space and hold meetings. These uses are located on a property that had previously been used as a church and convent. They are located on 36th Street—The Avenue—one of the city's more recognizable social districts.

Across the street from 3605 Hickory Avenue is the American Legion Hall, which has operated for 200 years under continuous ownership as a social lodge. The property is abutted to the rear by a 12-foot alley. Rowhouse dwellings occupy the lots on Roland Avenue, east of that alley.

B. The zoning classification of other property within the general area of the property in question.

Much of Hickory Avenue is zoned R-7 to reflect the rowhouse uses. However, the land occupied by Hampden Yards is zoned R-6, and Co-Balt—as well as all of 36th Street—is zoned C-1.

- C. The suitability of the property in question for the uses permitted under its existing classification.

The R-7 zoning district accommodates multi-family housing and neighborhood commercial establishments. Neither represents an ideal use for this property. A rezoning to allow a semi-industrial use such as a distillery, which offers recreational and social engagement but requires a significant amount of floor space for production, represents the property's best sort of use.

- D. 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.

Hampden has not seen much infill development in recent years, though the neighborhood has undergone a significant cultural shift since the 1990s. Always residential, Hampden is now considered to a hot spot for restaurants, bars, and other aspects of social life. The arrival of Hampden Yards and the conversion of the church to a co-working space supports this trend. The proposed use is consistent with that trend.

3. Summary & Conclusion

3605 Hickory Avenue was overlooked in 2017 during the comprehensive rezoning process that introduced the IMU-1 district to the zoning map. The property is an ideal fit for IMU-1 zoning. A rezoning of the property to IMU-1 will further the productive reuse of a historic building in the Hampden neighborhood. For all of these reasons, this rezoning should be approved.

DEPARTMENT OF LEGISLATIVE REFERENCE**STATEMENT OF INTENT FORM (LR-01)**

100 Holliday Street
 City Hall, Suite 626
 Baltimore, Maryland 21202

Phone: (410) 396-4730
 Email: ben.guthorn@baltimorecity.gov

01. Property Information.			
Property Address:		Block:	Lot:
City:	State:	Zip Code:	
02. Applicant's Contact Information.			
First Name:		Last Name:	
Mailing Address:			
City:	State:	Zip Code:	
Telephone Number:		Email Address:	
03. Agency.			
Is the applicant acting as an agent for another?			
If the applicant is acting as an agent for another, please include the names of all individuals on whose behalf the applicant is acting. If a corporate entity is involved, please include the name of each entity and each respective majority owner.			
<i>(Use an additional sheet if necessary.)</i>			
Corporate Entity:			
01	First Name:	Last Name:	
Mailing Address:			
City:	State:	Zip Code:	
02	First Name:	Last Name:	
Mailing Address:			
City:	State:	Zip Code:	
04. Current Property Owner's Contact Information (if different than applicant).			
First Name:		Last Name:	
Mailing Address:			
City:	State:	Zip Code:	
Telephone Number:		Email Address:	

05. Property Acquisition.

Date the property was acquired by the current owner:

Deed Reference	Liber/Book:	Folio/Page:
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06. All Proposed Zoning Changes for the Property.

<i>Zoning District</i>	Current Zoning District:	Requested Zoning District:
------------------------	--------------------------	----------------------------

<i>Conditional Use</i>	Existing Use:	Proposed Conditional Use:
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Please describe all intended uses of the Property:

Please refer to "Permitted and Conditional Use" tables found at the end of Article 32 – Zoning. e.g. Table 9-301, Table 10-301, etc.

<i>Multifamily</i>	Conversion of a Single-Family Dwelling Unit to Multiple Dwelling Units		
	Proposed Number of Units:		
	Gross Square Footage of Building: <i>(Not including basement area)</i>		
	Unit 01	Gross Sq./Ft:	No. of Bedrooms:
	Unit 02	Gross Sq./Ft:	No. of Bedrooms:
	Unit	Gross Sq./Ft:	No. of Bedrooms:
	Unit	Gross Sq./Ft:	No. of Bedrooms:
	<i>(Add additional units as needed.)</i>		

ARTICLE 32, § 9-703. CONVERSION STANDARDS.

(a) In general.
All conversions must meet the standards set forth in this section.

(b) Existing dwelling.

(1) The existing dwelling must be:

(i) a structure originally constructed as a single-family dwelling; and

(ii) 1,500 square feet or more in gross floor area.

(2) For purposes of this subsection, gross floor area does not include any basement area.

(c) GFA per dwelling unit.
The converted dwelling must meet the following gross floor area per unit type:

(1) 1-bedroom unit: 750 square feet.

(2) 2-bedroom unit: 1,000 square feet.

(3) 3- or more bedroom unit: 1,250 square feet.

*Please note that one off-street parking space is required per each dwelling unit added.

07. Contract Contingency.

Is there a purchase contract contingent on the requested legislative authorization?

If there is a purchase contract contingent on the requested legislative authorization, please include the names and addresses of all parties to the contract.

(Add additional parties as needed.)

1ST PARTY

First Name:

Last Name:

Mailing Address:

City:

State:

Zip Code:

2ND PARTY

First Name:

Last Name:

Mailing Address:

City:

State:

Zip Code:

The purposes, nature, and effect of the contract are:

08. Affidavit.

I, _____, 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

Date

**CERTIFICATE OF MAILING
WRITTEN NOTICE TO PROPERTY OWNER(S)**

City Council Bill Number: CCB 25-0142

I HEREBY CERTIFY, under penalty of perjury, that the attached* document was mailed to the following:

A. Property Owner: 3605 Hickory Ave LLC

B. Property Address: 3605 Hickory Ave

or

C. _____ List of Property Owners

(Place a Check Mark Above & Attach A List of Property Owners with Addresses)

On the following date: 4.10.26

Mailed By:

Applicant's Name: Chase Hoffberger

Applicant's Organization: Hoffberger Strategies LLC

Applicant's Title: applicant

Applicant's Address: 101 Park Lane Baltimore MD 21210

Applicant's Telephone Number: 512-536-0763

Applicant or Representative Signature:

Charles Hoffberger

**Note: Please attach a copy of the document that was mailed to the property owner(s).
Email to: Anthony.Leva@BaltimoreCity.Gov*

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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.78

Total Postage and Fees \$6.08

Sent To **3605 Hickory Avenue**
3618 Hickory Ave
 Street and Apt. No., or PO Box No.
Baltimore MD 21211
 City, State, ZIP+4®

Postmark Here
 0031 24
 04/10/2026

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions



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Tracking #:			
9589 0710 5270 1959 2526 53			\$6.08
Total			\$6.08

Grand Total: \$6.08

Credit Card Remit
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 Account #: XXXXXXXXXXXXX0645
 Approval #: 03151G
 Transaction #: 587
 AID: A0000000031010 Chip
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BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 25-0142

The Land Use and Transportation Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 25-0142 on April 30, 2026, at 9:00 a.m. in the Clarence “Du” Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public may be able to observe the hearing virtually, depending on the availability of the technology, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

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

Applicant: 3605 Hickory Ave LLC

For more information, contact the Committee Staff at (410) 396-1091.

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

RYAN DORSEY
Chair