



**BALTIMORE CITY COUNCIL  
COMMITTEE ON ECONOMIC AND COMMUNITY  
DEVELOPMENT**

*Mission Statement*

*On behalf of the Citizens of Baltimore City*, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

**The Honorable Sharon Green Middleton**

**PUBLIC HEARING**

**July 20, 2021**

**2:10 PM**

**Virtual Webex Meeting**

**City Council Bill #21-0063**

**Rezoning - 1201 Dundalk Avenue**

## CITY COUNCIL COMMITTEES

### **ECONOMIC AND COMMUNITY DEVELOPMENT (ECD)**

Sharon Green Middleton, Chair  
John Bullock  
Mark Conway  
Ryan Dorsey  
Antonio Glover  
Odette Ramos  
Robert Stokes  
*Staff: Jennifer Coates*

### **WAYS AND MEANS (W&M)**

Eric Costello, Chair  
Kristerfer Burnett  
Ryan Dorsey  
Danielle McCray  
Sharon Green Middleton  
Isaac "Yitzy" Schleifer  
Robert Stokes  
*Staff: Marguerite Currin*

### **PUBLIC SAFETY AND GOVERNMENT OPERATIONS (SGO)**

Mark Conway – Chair  
Kristerfer Burnett  
Zeke Cohen  
Erick Costello  
Antonio Glover  
Phylicia Porter  
Odette Ramos  
*Staff: Samuel Johnson*

### **EDUCATION, WORKFORCE, AND YOUTH (EWY)**

Robert Stokes – Chair  
John Bullock  
Zeke Cohen  
Antonio Glover  
Sharon Green Middleton  
Phylicia Porter  
James Torrence  
*Staff: Marguerite Currin*

### **HEALTH, ENVIRONMENT, AND TECHNOLOGY (HET)**

Danielle McCray – Chair  
John Bullock  
Mark Conway  
Ryan Dorsey  
Phylicia Porter  
James Torrence  
Isaac "Yitzy" Schleifer  
*Staff: Matthew Peters*

### **RULES AND LEGISLATIVE OVERSIGHT (OVERSIGHT)**

Isaac "Yitzy" Schleifer, Chair  
Kristerfer Burnett  
Mark Conway  
Eric Costello  
Sharon Green Middleton  
Odette Ramos  
James Torrence  
*Staff: Richard Krummerich*



**BILL SYNOPSIS**

**Committee: Economic and Community Development**

**Bill: 21-0063**

---

**Rezoning - 1201 Dundalk Avenue**

---

**Sponsor:** Councilmember Cohen

**Introduced:** April 19, 2021

**Purpose:**

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

**Effective:** The 30<sup>th</sup> day after the date it is enacted

---

**Agency Reports**

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

---

## Analysis

### Current Law

Article 32 – Zoning, Zoning District Map Sheet 70. Baltimore City Revised Code (Edition 2000).

Under § 5-508(b)(1) of Article 32 – Zoning, and the State Land Use Article, the City Council may approve a rezoning based on a finding that there was either:

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

### Background

The bill would change the zoning for the property known as 1201 Dundalk Avenue (Block 6738, Lot 036), from the residential R-3 Zoning District to the commercial C-2 Zoning District. The property is located in the Graceland Park neighborhood between Gary Avenue and German Hill Road. The site is approximately 40,000 square feet. A two-story building covers 25% of the site, while a surface parking lot covers the remainder.

Properties along Dundalk Avenue to the north are primarily commercial. There are residential dwellings along the west side of Dundalk Avenue and to the southeast, east and northeast. Prior to the Transform Baltimore rezoning process, the parking lot was rezoned from R-3 to B-2-2. During Transform Baltimore, the property was mistakenly reverted back to R-3.

The subject property has been used as a movie theater and is currently being used as a funeral home. The property is part of the O'Donnell Heights Revitalization Plan and the Southeastern Neighborhoods Development Plan

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

#### Current Zoning District – R-3

The R-3 Detached Residential Zoning District is intended for neighborhoods of detached dwellings located on lots of at least 5,000 square feet.

#### Proposed Zoning District – C-2

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. The C-2 District standards are crafted to ensure compatibility among neighboring residential, commercial, and entertainment uses; maintain the proper scale of commercial use; and maintain a balance between high traffic volume and pedestrian circulation.

---

### **Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Reporting Agencies, Statement of Intent, Bill 21-0063, Baltimore City Code, Article 32- Zoning

---

Analysis by: Jennifer L. Coates

Direct Inquiries to: 410-396-1260

Analysis Date: July 15, 2021

**CITY OF BALTIMORE  
COUNCIL BILL 21-0063  
(First Reader)**

---

Introduced by: Councilmember Cohen  
At the request of: K-Group Limited Partnership  
Address: 1201 Dundalk Avenue, Baltimore, Maryland, 21222  
Telephone: 410-371-1465

Introduced and read first time: April 19, 2021

Assigned to: Economic and Community Development

---

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 – 1201 Dundalk Avenue**

3 FOR the purpose of changing the zoning for the property known as 1201 Dundalk Avenue (Block  
4 6738, Lot 036), as outlined in red on the accompanying plat, from the R-3 Zoning District to  
5 the C-2 Zoning District.

6 BY amending

7 Article - Zoning  
8 Zoning District Maps  
9 Sheet 70  
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 70 of the Zoning District Maps is amended by changing from the R-3 Zoning District to  
14 the C-2 Zoning District the property known as 1201 Dundalk Avenue (Block 6738, Lot 036), as  
15 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.

24 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
25 after the date it is enacted.

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

# SHEET NO. 70 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



In connection with the property known as 1201 Dundalk Avenue,  
The City of Baltimore wishes to request the rezoning of the  
aforementioned property from R-3 zoning to C-2 zoning,  
as outlined in red above.

WARD 26 SECTION 10

Block 6738 Lot 036

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
PRESIDENT, CITY COUNCIL

**COMMITTEE ON ECONOMIC AND COMMUNITY  
DEVELOPMENT**

**21-0063  
AGENCY REPORTS**

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

<b>FROM</b>	NAME & TITLE	CHRIS RYER, DIRECTOR 	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 #21-0063 / REZONING – 1201 DUNDALK AVENUE		

**TO**

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

DATE: May 13, 2021

At its regular meeting of May 13, 2021, the Planning Commission considered City Council Bill #21-0063, for the purpose of changing the zoning for the property known as 1201 Dundalk Avenue (Block 6738, Lot 036), as outlined in red on the accompanying plat, from the R-3 Zoning District to the C-2 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #21-0063 and adopted the following resolution seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings outlined in the staff report, with consideration for testimony and facts presented in the meeting, adopts the equity analysis, and recommends that City Council Bill #21-0063 be passed 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: Ms. Natasha Mehu, Mayor's Office  
Ms. Nina Themelis, Mayor's Office  
The Honorable Eric Costello, Council Rep. to Planning Commission  
Mr. Matthew Stegman, City Council President's Office  
Ms. Nikki Thompson, City Council President's Office  
Mr. Colin Tarbert, BDC  
Ms. Kathleen Byrne, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Stephanie Murdock, DHCD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Liam Davis, DOT  
Ms. Natawna Austin, Council Services  
Mr. Dominic McAlily, Council Services



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chairman

### STAFF REPORT



Chris Ryer  
Director

May 13, 2021

**REQUEST:** City Council Bill #20-0063/ Rezoning – 1201 Dundalk Avenue

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

**RECOMMENDATION:** Approval

**STAFF:** Matthew DeSantis, AICP

**PETITIONERS:** Councilmember Cohen, at the request of K-Group Limited Partnership

**OWNER:** K-Group Limited Partnership

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

**Site Conditions:** The subject property is approximately 40,000 square feet in size, and is currently improved with a two-story funeral home that covers about 25% of the site while a surface parking lot covers the remainder.

**General Area:** The subject property is located within the Graceland Park neighborhood, which straddles the City/County line at the far eastern edge of the City. The properties along the eastern side of Dundalk Avenue to the north are primarily commercial in nature; there are attached dwellings along the west side of Dundalk Avenue to the west of the subject property; single-family detached dwellings comprise the majority of properties to the southeast, east, and northeast.

#### **HISTORY**

- The 1936 and 1953 Sanborn Fire Insurance maps indicate that the building was in use as a movie theater. Additionally, aerial images show the existing funeral home building and rear parking lot dating back to at least 1957, while the side parking lot addition along Dundalk Avenue was constructed in the mid-2010s.
- CCB #12-0024 (Ordinance #12-57, dated September 28, 2012) rezoned a portion of the subject property from the R-3 district to the B-2-2 district. The funeral home had acquired abutting properties (now the side parking lot) and requested the rezoning to expand their parking area. The Planning Commission heard this bill on May 10, 2012 and concurred with Planning staff, recommending disapproval.

## CONFORMITY TO PLANS

The proposed action would not be inconsistent with any Goal or Objective of LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore City.

The site is within the bounds of the O'Donnell Heights Revitalization Plan that was adopted by the Planning Commission in 2020. The proposed action is neither directly supported by the plan nor is it in conflict with any plan recommendations.

In addition, the Planning Commission adopted the SEND (Southeastern Neighborhoods Development) Plan in 2005, of which this subject property is within the bounds. The plan speaks generally about supporting commercial uses along the area's major corridors and the importance of enhancing the pedestrian experience/connections on these streets.

## ANALYSIS

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

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

In 2012, what is now the parking lot was rezoned from the R-3 to the B-2-2 zoning district to allow for its improvement/expansion. While staff argued that the specific rezoning to expand the B-2-2 district was not justified based on the rezoning criteria, staff did also find that the B-2-2 zoning of the funeral home building itself was "appropriate". Once the rezoning became effective all of the parcels were consolidated. It appears that during the Transform comprehensive rezoning process, for some reason the entirety of 1201 Dundalk Avenue was rezoned back to the R-3 zoning district. Based on staff's earlier position that the former commercial zoning of the building itself was suitable, it appears that the rezoning of the entire site to R-3 was a mistake as it has made both the use and the bulk/yard conditions non-conforming.

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 this change is not in the public's interest.

**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:** The proposed action would not be in conflict to any of the goals contained in the Comprehensive Master Plan for Baltimore City, nor would it be in conflict with either of the area plans adopted for this part of the City.
- 2. The needs of Baltimore City:** A rezoning to the C-2 district would return the existing funeral home to a legally conforming status, and would better correspond to the historic use of the property.
- 3. The needs of the particular neighborhood:** The zoning change wouldn't have any direct impact on the Graceland Park neighborhood, since the funeral home has operated at this location for many years and proposes to continue to operate at this location.

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 not been significant population changes in the Graceland Park neighborhood in the interval between the adoption of the last comprehensive rezoning (2016) and the present time.
- 2. The availability of public facilities;** This site is well-served by public services and utilities and will continue to be so for the foreseeable future.

3. **Present and future transportation patterns;** There would be no positive or negative effect upon present or future transportation patterns in the area as a result of adoption of this bill as the existing use of the property is not expected to change as a result.
4. **Compatibility with existing and proposed development for the area;** The proposed C-2 zoning district is compatible with the existing and proposed development for the area along the Dundalk Avenue corridor as it would match the C-2 zoning of abutting commercial use properties.
5. **The recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals (BMZA);** For the above reasons, the Planning Department will recommend approval of the rezoning request to the Planning Commission. The BMZA will comment separately on this bill.
6. **The relation of the proposed amendment to the City's plan.** As noted previously, rezoning of this property to the C-2 zoning district as recommended by staff would not be in conflict with the City's plan.

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;**  
Existing uses of property within the general area of this site are a mix of low-density residential and commercial.
- (ii) **the zoning classification of other property within the general area of the property in question;** the proposed C-2 would be consistent with the abutting C-2 zoned commercial properties along Dundalk Avenue.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and,** The current R-3 zoning designation has actually made the current funeral home non-conforming to the zoning code, and so a rezoning to the C-2 district would be more suitable.
- (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 not been significant changes to the immediate area of the subject property since it was placed in its current zoning classification.

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. For the reasons described above, Planning staff consider that there was a mistake in selecting the current R-3 zoning classification for the subject property and that the C-2 district would be more appropriate.

## **Equity Impact Assessment**

Short / long-term impact on surrounding community: As the proposed rezoning is seeking to correct a mistake in the zoning for the continued operation of the existing funeral home, there is no clear short or long-term impact that this will have on the surrounding community.

Impact on Baltimore's existing patterns of inequity: Staff is unable to identify how this rezoning would heal or deepen any persistent patterns of equity.

Has the community been meaningfully engaged?: Staff is unaware to what extent the applicant has engaged with the surrounding community but has provided notice to the Graceland Park Improvement Association that this bill is scheduled for consideration and has responded to several questions from association leadership about the request.

How are residents who have been historically excluded from planning processes being authentically included in the planning of the proposed policy or project?: It is unclear how applicable this consideration is in this instance, since the intent of the rezoning bill is to correct a mistake in the zoning of one particular property.

Impact on internal operations: There has not been, nor is there expected to be, any substantive impact to internal operations as a consequence of this bill.

Notification: The Graceland Park Improvement Association has been notified of this action. Additionally, the site has been posted in compliance with Planning Commission guidelines.



**Chris Ryer**  
**Director**

<b>F R O M</b>	NAME & TITLE	Steve Sharkey, Director	<b>CITY of BALTIMORE  M E M O</b>	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 21-0063		

TO: Mayor Brandon M. Scott  
TO: Economic & Community Development Committee  
FROM: Department of Transportation  
POSITION: **No Objection**  
RE: Council Bill – 21-0063

DATE: 7/1/21

**INTRODUCTION** – Rezoning - 1201 Dundalk Avenue

**PURPOSE/PLANS** – For the purpose of changing the zoning for the property known as 1201 Dundalk Avenue (Block 6738, Lot 036), as outlined in red on the accompanying plat, from the R-3 Zoning District to the C-2 Zoning District.

**COMMENTS** – Council Bill 21-0063 seeks to change 1201 Dundalk Avenue from the R-3 Zoning District to the C-2 Zoning District. Per the City’s Zoning Code, R-3 Zoning Districts are described as being detached residential dwelling areas. C-2 Zoning Districts are reserved for small to medium-scale commercial establishments. 1201 Dundalk Avenue has long operated as a funeral home and the zoning change will effectively correct an error resulting from the City’s adoption of TransForm Baltimore in 2016.

**AGENCY/DEPARTMENT POSITION** – The Department of Transportation foresees no direct fiscal or operational impact resulting from the advancement of Council Bill 21-0063. The Department of Transportation has **no objection** to Council Bill 21-0063. If you have any questions, please do not hesitate to contact Liam Davis at [Liam.Davis@baltimorecity.gov](mailto:Liam.Davis@baltimorecity.gov) or at 410-545-3207.

Sincerely,

Steve Sharkey  
Director



## MEMORANDUM

**DATE:** June 7, 2021  
**TO:** Economic and Community Development Committee  
**FROM:** Colin Tarbert, President and CEO  
**POSITION:** Support  
**SUBJECT:** City Council Bill No. 21-0063  
Rezoning – 1201 Dundalk Avenue

---

### **INTRODUCTION**

The Baltimore Development Corporation (BDC) has been asked to respond to City Council Bill No. 21-0063 introduced by Councilmember Cohen.

### **PURPOSE**

The purpose of this Bill is to change the zoning for the property known as 1201 Dundalk Avenue (Block 4 6738, Lot 036) from the R-3 Zoning District to the C-2 Zoning District.

### **BRIEF HISTORY**

This property has housed an active funeral home and mortuary since 1992. In 2016, this property was rezoned R-3 as part of Transform Baltimore's comprehensive rezoning effort. However, this rezoning is not appropriate for this large corner commercial property and may limit the business' future opportunities. City Council Bill No. 21-0063 is a corrective measure to restore C-3 zoning to this property.

### **FISCAL IMPACT**

None

### **AGENCY POSITION**

BDC **supports** City Council Bill No. 21-0063.

If you have any questions, please do not hesitate to contact Kim Clark at [kclark@baltimoredevelopment.com](mailto:kclark@baltimoredevelopment.com) or at 410-837-9305.

[LC]

---

CITY OF BALTIMORE

BRANDON M. SCOTT  
Mayor



DEPARTMENT OF LAW

JAMES L. SHEA  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

---

July 14, 2021

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

Re: City Council Bill 21-0063 - Rezoning – 1201 Dundalk Avenue

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0063 for form and legal sufficiency. The bill changes the zoning for the property known as 1201 Dundalk Avenue (Block 6738, Lot 036) from the R-3 Zoning District to the C-2 Zoning District.

The City Council may permit the proposed 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).

In determining whether the proposed rezoning meets either standard, the City Council is required to make findings of fact 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. 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.").

Furthermore, the City Council is required 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 Planning Department reviewed these standards in its report dated May 13, 2021 (“Report”). It concluded that a mistake in zoning occurred. Report, p. 4. Moreover, the Report provides facts that are required to be reviewed and considered by §§ 10-304 and 5-508 of City Code Article 32.

Provided the City Council finds facts identical or similar to those provided in the Report, the Law Department is prepared to approve the bill for form and sufficiency.

Sincerely,

*Victor K. Tervala*

Victor K. Tervala  
Chief Solicitor

cc: James L. Shea, City Solicitor  
Nina Themelis, Mayor’s Office of Government Relations  
Nikki Thompson, Director of Legislative Affairs  
Matthew Stegman, Director of Fiscal and Legislative Services  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Ashlea Brown, Assistant Solicitor