



MEMORANDUM

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

From: Alice Kennedy, Acting Housing Commissioner

Date: June 16, 2021

Re: City Council Bill 21-0051 Rezoning - 4900 Boston Street

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 21-0051 for the purpose of changing the zoning for the property known as 4900 Boston Street (Block 6820, Lot 55), as outlined in red on the accompanying plat, from the I-2 Zoning District to the IMU-2 Zoning District; and providing for a special effective date.

If enacted, City Council Bill 21-0051 would rezone the above-referenced property from the I-2 Zoning District to the IMU-2 Zoning District and allow for the property to be used as a restaurant with a drive-thru facility.

At its regular meeting of April 22, 2021, the Planning Commission did not concur with the recommendations of its planning staff, who recommended disapproval, and instead recommended approval of City Council Bill 21-0051. Planning staff noted in their report that the change is not in the public's interest in that it will break up the existing industrial area and may be interpreted as spot zoning. However, the Planning Commission adopted the facts submitted by the applicant and took into consideration the relatively small size of the subject parcel, various commercial land uses in the immediate vicinity, and a nearby Planned Unit Development (PUD) that allowed a drive-through restaurant.

This Bill is a companion piece to City Council Bill #21-0056/ *Urban Renewal – Canton Industrial Area – Amendment*, the purpose of which is to amend the Urban Renewal Plan for the Canton Industrial Area to remove this property.

A restaurant with a drive-thru facility is not allowed as a principal use in the I-2 Zoning District. A business of this nature may be more appropriately located in an existing commercial district elsewhere in the city.

DHCD **defers to the Law Department** on the passage of City Council Bill 21-0051.

AK/sm

cc: Ms. Themelis, Nina, *Mayor's Office of Government Relations*