



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

*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**

**March 5, 2024**

**2:00 PM**

**CLARENCE "DU" BURNS COUNCIL CHAMBERS**

**23-0430**

**Rezoning 2529 Georgetown Road**

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**BILL SYNOPSIS**

**Committee: Economic and Community Development**

**Bill: 23-0430**

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**Title: Rezoning 2529 Georgetown Road**

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**Sponsor: Councilmember Porter**

**Introduced: January 22<sup>nd</sup>, 2024**

**Purpose: For the purpose of changing the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning District to the I-1 Zoning District.**

**BY amending**

- Article - Zoning**
- Zoning District Maps**
- Sheet 63**
- Baltimore City Revised Code**
- (Edition 2000)**

**Effective: On the 30<sup>th</sup> day after enactment**

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**Agency Reports**

City Solicitor	Approved for form and sufficiency
Planning Commission	Supports
Dept of Housing & Community Development	Supports
BMZA	Defer to Planning
Baltimore Development Corporation	Supports
Dept of Transportation	
Parking Authority	Supports

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## Analysis

### Current Law

Article 32 – Zoning, Zoning District Map Sheet 68; 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

If enacted this bill would change the zoning for the property 2529 Georgetown Road from the R-6 Zoning District to the I-1 Zoning District.

Located on the edge of the Morrell Park community there is significant industrial land use nearby. There are also two residential properties adjoining 2529 Georgetown Road. The property itself features a commercial building used as a storage warehouse approximately 30'X40' on a lot measuring 192'X109'3".

There have been some concerns raised about the proposed rezoning from the neighbors of the property. The attorneys from the applicant have submitted a letter and information explaining their position and how they have engaged with the neighbors and the Morell Park Community Association. This documentation is included in the hearing packet.

#### Current zoning designation:

R-6 Zoning District is defined as - Low density rowhouse neighborhoods. Landscaped front yards, setback buildings. Accommodates detached and semi-detached dwellings, rowhouse developments and multifamily developments. Limited non-residential uses.

#### Proposed zoning designation:

I-1 Zoning District is defined as - Light Industrial Zoning. Light manufacturing, fabricating, processing, wholesale distributing and warehousing uses.

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## Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Agency Reports, 23-0430 1<sup>st</sup> reader, Baltimore City Building Code, written testimony.

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Analysis by: Anthony Leva

Direct Inquiries to: 410-396-1091

Analysis Date: March 1, 2024

**CITY OF BALTIMORE  
COUNCIL BILL 23-0430  
(First Reader)**

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Introduced by: Councilmember Porter

At the request of: Chase Hoffberger, AB Associates o/b/o Tricity Property LLC

Address: 225 E. Redwood Street, Baltimore, Maryland 21202

Telephone: 512-536-0763

Introduced and read first time: September 18, 2023

Assigned to: Economic and Community Development Committee

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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rezoning – 2529 Georgetown Road**

3 FOR the purpose of changing the zoning for the property known as 2529 Georgetown Road  
4 (Block 7796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning  
5 District to the I-1 Zoning District.

6 BY amending

7 Article - Zoning

8 Zoning District Maps

9 Sheet 63

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 63 of the Zoning District Maps is amended by changing from the R-6 Zoning District to  
14 the I-1 Zoning District the property known as 2529 Georgetown Road (Block 7796, Lot 003), 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.

# **Economic and Community Development Committee**

**23-0430**

**Rezoning 2529 Georgetown Road**

## **AGENCY REPORTS**

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CITY OF BALTIMORE

Brandon M. Scott, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

Rebecca Lundberg Witt, *Executive Director*

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February 29, 2024

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

**Re: CC Bill #23-0430 – Rezoning 2529 Georgetown Road**

Ladies and Gentlemen:

City Council Bill No. 23-0430 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 23-0430 is to change the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), from the R-6 Zoning District to the I-1 Zoning District. BMZA is deferring its recommendation on the legislation to that of the report and recommendation of the Planning Commission.

Sincerely,

A handwritten signature in black ink that reads "Rebecca R Witt".

Rebecca Lundberg Witt  
Executive Director

CC: Mayor's Office of Council Relations  
City Council President  
Legislative Reference





## MEMORANDUM

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

From: Alice Kennedy, Housing Commissioner



Date: March 5, 2024

**Re: City Council Bill 23-0430 Rezoning - 2529 Georgetown Road**

### Introduction

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0430 Rezoning - 2529 Georgetown Road for the purpose of changing the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning District to the I-1 Zoning District.

If enacted, City Council Bill 23-0430 would rezone the property known as 2529 Georgetown Road from the R-6 Zoning District to the I-1 Zoning District which would allow the applicant to use the property for small scale food processing and distribution, with plans calling for the replacement of the existing 1,200 sq. ft. one-story building and replacement with a 15,000 sq. ft. warehouse and loading docks. The proposed redevelopment would continue commercial-industrial use of the site compatible with the surrounding zoning.

### DHCD Analysis

At its regular meeting of December 21, 2023, the Planning Commission concurred with its departmental staff and recommended that City Council Bill 23-0430 be approved by the City Council. Planning Staff noted in their report that the comprehensive rezoning mapping process created an island of R-6 zoning that contains only the subject property and two adjoining residential properties that are otherwise surrounded by industrial I-1 and I-2 zoning. Prior to the comprehensive rezoning process that became effective in 2017, this property had been within the M-2 General Industrial District since 1971. Accordingly, it was their conclusion that due to the prior zoning designation and lack of residential history, a mistake had been made during the comprehensive rezoning process.

This Bill does not have an operational or fiscal impact on DHCD and the re-zoning would not endanger public health, safety or welfare. The property is not located within any of DHCD's Impact Investment Areas or Community Development Zones but is located within a Streamlined Code Enforcement Area. This rezoning may lead to the productive re-use of this property and




expand light-industrial redevelopment opportunities for the Morrell Park and surrounding communities, potentially benefiting local businesses and area residents.

## Conclusion

DHCD respectfully requests a **favorable** report on the passage of City Council Bill 23-0430.

*AK/sm*

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

FROM	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 #23-0430 / REZONING – 2529 GEORGETOWN ROAD		

TO

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

DATE: December 22, 2023

At its regular meeting of December 21, 2023, the Planning Commission considered City Council Bill #23-0430, for the purpose of changing the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning District to the I-1 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #23-0430 and adopted the following resolution, with nine members being present (nine in favor):

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 in its prior meeting on October 12, 2023, and recommends that City Council Bill #23-0430 be **approved** 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. Nina Themelis, Mayor's Office  
 The Honorable Eric Costello, Council Rep. to Planning Commission  
 Mr. Colin Tarbert, BDC  
 Ms. Rebecca Witt, 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



Brandon M. Scott  
Mayor

## PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

### STAFF REPORT



Chris Ryer  
Director

October 12, 2023

**REQUEST:** City Council Bill #23-0430/ Rezoning – 2529 Georgetown Road

For the purpose of changing the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning District to the I-1 Zoning District.

**RECOMMENDATION:** Adopt findings and Recommend Approval

**STAFF:** Martin French

**PETITIONERS:** Councilmember Porter, on behalf of Tricity Property LLC

**OWNER:** Tri City Property LLC

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

Site Conditions: This L-shaped property at the southeast corner of the intersection of Georgetown Road and Parksley Avenue measures approximately 192' along Georgetown Road and 109'3" along Parksley Avenue, and contains approximately 0.530 acre. It is improved with a one-story detached commercial building measuring approximately 30' by 40' used as a storage warehouse. Much of the remainder of the property is paved or gravelled and used for off-street parking for commercial vehicles and equipment.

#### General Area:

This site is part of the predominantly commercial and light industrial northwestern edge of the Morrell Park community. Across Georgetown Road, which dead-ends about 200' northeast of this site, there is commercial – industrial land use between Georgetown Road and Interstate Highway 95. North and east of this property are commercial and industrial uses lying on the west side of a large freight railroad right-of-way in active use. Southwest of this property, across Parksley Avenue, land use is commercial or light industrial as far southwest as Wilmington Avenue. Adjoining this property to its southeast are two residential properties on the northeast side of Parksley Avenue.

#### **HISTORY**

There are no previous legislative or Planning Commission actions regarding this site. This property was rezoned from M-2-1 to R-6 during the comprehensive rezoning mapping process associated with the effective date of the Zoning Code on June 5, 2017. However, this action created an island of Residential zoning in the midst of continued non-Residential zoning of the remainder of this northeastern edge of Morrell Park, an island comprised of just three properties: the subject property and two adjoining residential properties.

## ZONING CODE REQUIREMENTS

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

Per §5-508(b)(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. Planning staff recommend finding that a mistake was made in rezoning to R-6 the property that is the subject of this bill. This property was in the M-2 General Industrial District from 1971 to 2017, and there is no record of prior residential use of the property. During the comprehensive rezoning process that became effective in 2017, this property would more appropriately have been placed in the new I-1 Light Industrial District, given its size and shape and the continuing land use of it and its neighboring non-residential properties. The rezoning of the two residential properties adjoining it to its southeast (1503 and 1505 Parksley Avenue) was appropriate given their continuing residential use, which was nonconforming in the M-2 District. Ironically, that rezoning also made 2529 Georgetown Road's non-residential use nonconforming.

Proposed redevelopment would continue commercial-industrial use of this site. The applicant's plan calls for replacement of the existing 1,200 square foot one-story building with a 15,000 square foot warehouse with two loading docks on Georgetown Road. This redevelopment plan would minimize effects on Parksley Avenue and the two residential properties there.

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 in the public's interest, in that it will allow redevelopment of this property as a construction materials warehouse. The scale of redevelopment that would be allowed by the I-1 zoning district would be compatible with other I-1 or I-2 zoned properties along this portion of Georgetown Road and to the west, north, east, and south of this property.

## **REQUIRED FINDINGS**

### **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 § 10-305 (2019)). In reviewing this request, the staff finds that:

1. **The Plan:** Rezoning this property would encourage its re-use and future continuing use in ways consistent with the other uses adjoining this site, and support Comprehensive Master Plan goals of retaining and attracting businesses fitting the light commercial and industrial categories of the I-1 zoning district.
2. **The needs of Baltimore City:** Rezoning the property would offer opportunity for adding smaller-scale commercial and industrial potential in the proposed new building.
3. **The needs of the particular neighborhood:** The Morrell Park community of which this site is a part would benefit from addition of a small-scale purpose-built warehouse building that would offer a place of employment opportunity for area residents.

Similarly, the Land Use article requires the City Council to make findings of fact (MD Land Use Code § 10-304 (2019)). The findings of fact include:

1. **Population changes;** The Morrell Park area had 3,970 persons according to Census 2020 and 4,203 persons according to Census 2010, showing a net loss of 233 persons in ten years. This 5.5% decrease in population is similar to the approximately 6% decrease in population of the City of Baltimore as a whole.
2. **The availability of public facilities;** There are adequate public facilities available in the area where the property is located, and there are no plans to reduce or remove any of those facilities.
3. **Present and future transportation patterns;** There are no changes anticipated in present or future transportation patterns in this portion of southwestern Baltimore City.
4. **Compatibility with existing and proposed development for the area;** Uses that would be authorized by rezoning the property would be generally compatible with uses in the light industrial and general industrial areas (I-1 and I-2) nearest this site.
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.** Changing the zoning of the property to I-1 would rejoin it with the commercial-industrial area near to major rail freight lines and Interstate Highway 95. This would support plans goals of retaining and attracting businesses, and particularly small businesses in growth sectors of the economy.

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;** This portion of southwestern Baltimore City is characterized by predominantly rowhouse and single-family detached blocks of residences arrayed around the traditional commercial (residential mixed-use) corridor of Washington Boulevard, which supplanted Georgetown Road in the 19<sup>th</sup> Century as the primary route from Baltimore to the national capital. Construction of railroads and then of the interstate highway resulted in this section of Georgetown Road becoming attractive for non-residential redevelopment during the 20<sup>th</sup> Century.
- (ii) **the zoning classification of other property within the general area of the property in question;** Consistent with the historic development pattern described above, most of the residential areas are zoned Residential (largely R-3 and R-6), while most of the commercial and industrial properties lining I-95 are in the I-1 zoning district.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and** While this property is theoretically convertible to residential uses provided in the Zoning Code, I-1 zoning would allow a wider variety of commercial and industrial uses that would be appropriate next to major freight railways and the East Coast's primary interstate highway that links New England to Florida.
- (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 major land use changes in this general area since 2017. The 2017 rezoning of this property to Residential has not resulted in any residential re-use of the property, and, given its location, is unlikely to do so.

Equity:

- Impact:
  - The proposed redevelopment of the property that would be made possible by the proposed rezoning would not have a major effect upon the surrounding community in the short term. In the longer term, the proposed redevelopment would support new employment opportunities on the northwestern edge of the Morrell Park area by providing more light commercial-industrial space now prevented by nonconforming use status of the property.
  - This proposal would neither aggravate nor ameliorate existing patterns of inequity that persist in Baltimore, due to the relatively limited amount of new commercial-industrial space that would be created by the proposed redevelopment that would be made possible by the proposed rezoning.

- Engagement:
  - The Morrell Park community has been meaningfully engaged in discussing this proposal. Prior to introduction of this bill, the owner of KH Best Construction Company (who is also owner of Tri City Property LLC) and the Morrell Park United Community Association worked to develop a Memorandum of Understanding that covers the extent to which certain effects or impacts on adjacent neighbors and the larger community would be limited or mitigated.
  
- Internal Operations:
  - The proposed rezoning per se would not affect Planning Department workload. Review of the redevelopment that would be made possible by the rezoning would occur as a part of the normal development plan review process performed by the Department.

Notification: The Morrell Park United Community Association and Councilwoman Porter have been notified of this action.



**Chris Ryer**  
**Director**



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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

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January 30, 2024

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

Re: City Council Bill 23-0430 – Rezoning – 2529 Georgetown Road

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0430 for form and legal sufficiency. The bill would change the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), from the R-6 Zoning District to the I-1 Zoning District.

Although any number of zoning designations are open for properties in original or comprehensive rezoning, there is not the same flexibility in piecemeal rezoning such as this. *See Mayor and City Council of Rockville v. Rylyns Enterprises*, 372 Md. 514, 535-36 (2002) (explaining the rationale behind rigidity in zoning as protecting landowners and society at large). Even if the Mayor and City Council believes now that the selection of the R-6 Zoning District for this parcel was wrong, second guessing is not allowed in piecemeal rezoning.

However, the Mayor and City Council may permit a piecemeal rezoning if it finds facts sufficient to show either: 1) there was mistake in the original zoning classification; or 2) there has been a substantial change in the character of the neighborhood since the original zoning classification. *Id. See also* Md. Code, Land Use Art., § 10-304(b)(2); Baltimore City Code, Art. 32, §§ 5-508(a) and (b)(1). “The ‘mistake’ option 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.” *Rylyns Enterprises*, 372 Md. at 538-39. With regard to the “change” option, “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.” *Id.* at 538. The legal standard for each of these options is discussed in more detail below.

Legal Standard for Change in the Character of the Neighborhood

“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 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) (emphasis added). Thus, the Mayor and City Council must find facts of a substantial change in the character and the use of the district since the last comprehensive rezoning of the property and that the rezoning will promote the “public health, safety, morals, or general welfare” and not merely advantage the property owner. *Id.*

The “substantial change” must be in the “immediate neighborhood” of the subject property, and must be of “such a nature as to have affected its character.” *Clayman v. Prince George’s County*, 266 Md. 409, 418 (1972). Moreover, the required changes must be physical in nature. *Anne Arundel County v. Bell*, 442 Md. 539, 555 (2015) (citations omitted). However, infrastructure changes such as sewer or water extension or road widening do not count. *Id.* at 419. In addition, the physical changes have to be shown to be unforeseen at the time of the last rezoning. *Rylyns Enterprises*, 372 Md. at 538. Contemplated growth and increased density are not sufficient. *Clayman*, 266 Md. at 419.

#### 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 upon a factual predicate that is incomplete or inaccurate may be deemed in zoning law, a mistake or error; an allegedly aberrant conclusion based on full and accurate information, by contrast, is simply a case of bad judgment, which is immunized from second-guessing.” *Id.* “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.’” *Boyce v. Sembly*, 25 Md. App. 43, 52 (1975) (citations omitted).

A court has not considered it enough 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 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).

#### Avoiding Spot Zoning

In piecemeal rezoning bills, like this one, if there is not a factual basis to support the change or the mistake, then rezoning is considered illegal spot zoning. *Cassel*, 195 Md. 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.* Examples include “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.

Thus, to avoiding spot zoning, 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 *Rylyns Enterprises*, 372 Md. at 545-46).

#### Additional Required Findings of Fact

In addition to finding that there was either a substantial change in the character of the neighborhood or a mistake in the original zoning classification, the Mayor and City Council is required to make findings of fact on the following matters:

- (i) population change;
- (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 Baltimore City Planning Commission and the Board [of Municipal and Zoning Appeals]; and
- (vi) the relationship of the proposed amendment to Baltimore City’s plan.

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

The Mayor and City Council must also consider:

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

- (iv) the trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

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

The Mayor and City Council’s decision regarding a piecemeal rezoning is reviewed under the substantial evidence test and should be upheld “if reasoning minds could reasonably reach the conclusion from facts in the record.” *City Council of Prince George’s Cty. v. Zimmer Dev. Co.*, 444 Md. 490, 510 (2015) (citation omitted); *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.’”).

#### Planning Commission Recommendation

The Planning Department Report (“Report”) supports this rezoning. The Report states that the Planning staff is recommending finding that a mistake was made in rezoning to R-6 the property that is the subject of this bill because this property was in the M-2 General Industrial District from 1971 to 2017 and there is no record of prior residential use of the property. The Report also makes findings on each of the required matters outlined in the previous section.

#### Process Requirements

The City Council is required to hold a quasi-judicial public hearing with regard to the bill wherein it will hear and weigh the evidence as presented in: (1) the Planning Report and other agency reports; (2) testimony from the Planning Department and other City agency representatives; and (3) testimony from members of the public and interested persons. After weighing the evidence presented and submitted into the record before it, the Council is required to make findings of fact about the factors in Section 10-304 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 substantial change in the neighborhood; and (2) a new zoning classification for the properties, it may adopt these findings and the legal requirements for granting the rezoning would be met.

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 or description of the property and the name of the applicant. Baltimore City Code, Art. 32, § 5-601(c). The posted notices must be at least 3 feet by 4 feet in size, placed at a prominent

location 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. City Code, Art., § 5-601(d). The published and mailed notices must be given at least 15 days before the hearing, and the posted notice must be provided at least 30 days before the public hearing. Baltimore City Code, Art. 32, § 5-601(e), (f).

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for rezoning has been met. Assuming the required findings are made at the hearing and that all procedural requirements are satisfied, the Law Department can approve the bill for form and legal sufficiency.

Very truly yours,



Teresa Epps Cummings

cc: Ebony M. Thompson, City Solicitor  
Nina Themelis, Mayor's Office of Government Relations  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Hilary Ruley, Chief Solicitor  
Ashlea Brown, Chief Solicitor  
Jeffrey Hochstetler, Chief Solicitor  
Michelle Toth, Assistant Solicitor



## MEMORANDUM

**To:** Nick J. Mosby, President, Baltimore City Council

**From:** Peter Little, Executive Director

**Date:** December 1, 2023

**Subject:** City Council Bill 23-0430

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I am herein reporting on City Council Bill 23-0430 introduced by Councilmember Porter at the request of Chase Hoffberger, AB Associates o/b/o Tricity Property LLC.


The purpose of this bill is to change the zoning for the property known as 2529 Georgetown Road (Block 7796, Lot 003), from the R-6 Zoning District to the I-1 Zoning District.

The Parking Authority of Baltimore City (PABC) has reviewed the proposed legislation. The proposed legislation does not mention parking. PABC staff conducted a site visit in October 2023. The parcel indicated in the legislation is not adjacent to any programs managed by the PABC. The proposed legislation would have no fiscal impact on PABC programs.

The applicant intends to use the rezoned property for food processing and small distribution. When building plans and uses are submitted, PABC will be involved through Site Plan Review Committee to ensure that parking and loading demands are adequately addressed and that effects of parking and loading are mitigated.

Based on the comments above, the PABC respectfully requests a favorable report on City Council Bill 23-0430.

## MEMORANDUM

**DATE:** February 27, 2024  
**TO:** Economic and Community Development Committee  
**FROM:** Colin Tarbert, President and CEO   
**POSITION:** No Objection  
**SUBJECT:** City Council Bill No. 23-0430  
Rezoning - 2529 Georgetown Road

---

### **INTRODUCTION**

The Baltimore Development Corporation (BDC) is reporting on City Council Bill No. 23-0430 introduced by Councilmember Porter.

### **PURPOSE**

This bill will rezone the property at 2529 Georgetown Road from R-6 to I-1.

### **BRIEF HISTORY**

The property at 2529 Georgetown Road was formerly zoned I-1 but was rezoned to R-6 during the City's comprehensive rezoning process in 2017. This effectively created an island of residential zoning amid continuous industrially zoned parcels. This bill will correct this condition, reunify industrial parcels, and facilitate planned industrial redevelopment at this site.

### **FISCAL IMPACT TO BDC**

None.

### **AGENCY POSITION**

The Baltimore Development Corporation respectfully submits a **favorable** report to City Council Bill No. 23-0430. If you have any questions, please contact Kim Clark at 410-837-9305 or [KClark@baltimoredevelopment.com](mailto:KClark@baltimoredevelopment.com).

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

[CE II]

# **Economic and Community Development Committee**

**23-0430**

**Rezoning 2529 Georgetown Road**

**ADDITIONAL DOCUMENTS**



# MEMORANDUM

---

To: Baltimore City Council's Economic & Community Development Committee  
From: Chase Hoffberger, on behalf of Tri City Property LLC  
Date: February 15, 2024  
Re: CCB23-0430, Applicant's Engagement with the Morrell Park Neighborhood and the Residents of 1505 Parksley Avenue Concerning the Rezoning of 2529 Georgetown Road

---

Al Barry and I have been working on behalf of Tri City Property LLC to rezone 2529 Georgetown Road. I'd like to share some perspective on our efforts to engage with the property's neighbors.

We first discussed Tri City's development plan with Councilwoman Porter in the summer of 2022. We met with the Morrell Park Community Association (MPCA) that June to present Tri City's plan and discuss the relevant zoning issues. We proposed a memorandum of understanding to govern certain decisions related to any development in exchange for community support for a rezoning. Opposed to that proposal were Daniel and Doris Moran, a son and mother who live together at 1505 Parksley Avenue.

We worked to engage with the Morans through the summer of 2022. We placed calls to their home and coordinated outreach through the MPCA. These efforts were not successful. We were not able to meet with the Morans and thus not able to learn about the nature of their opposition.

In February of 2023, we met with Angela Zanti after Ms. Zanti had been elected president of the MPCA to update her on the rezoning effort and to bring her up to speed on the proposed memorandum of understanding. We again presented our plan to the MPCA in March of 2023. The Morans attended that meeting and voiced their opposition. Ms. Zanti agreed to facilitate a meeting with the Morans, but she was not able to coordinate their participation. In August of 2023, Councilwoman Porter recommended that we move forward with this rezoning legislation despite the Morans' opposition.

Councilwoman Porter introduced CCB 23-0430 on September 18, 2023. We met with staff from the city's Planning department the following week and reached out to Ms. Zanti shortly after that meeting. Ms. Zanti again relayed the Morans' opposition but was not able to coordinate a meeting with the family.

The Planning Commission first heard CCB 23-0430 on Oct. 12, 2023. The Morans attended that meeting and testified in opposition. Their primary dispute concerned the sliver of 2529 Georgetown that runs directly behind their property. The Morans believe that this land belongs to them. Daniel Moran alleged that land records reflect this assertion. He brought with him a binder of papers but produced no records to support his assertions.

Though Planning staff recommended that the Planning Commission approve the bill and the Planning Commission recognized that theirs was not the proper forum to resolve the land dispute, the Commission voted to table the approval until a later date to allow further engagement between our team and the Morans. We met with the Morans in the Department of Planning's lobby after the hearing but could not get them to agree to a substantive discussion. The Morans also declined to share any documentation they claimed to possess about the sliver of land.

We called the Morans on their home phone number multiple times following that October 12 meeting to try to set up a meeting. We were prepared to deed the contested sliver to Mr. Moran in exchange for his support, and to include him in discussions about an MOU and building design. The Morans screen phone calls to their home, so we left a detailed message every time that we called.

On November 8, we sent a certified letter to the Morans' home that articulated this proposal. A copy of that letter follows this synopsis. We notified Planning staff that we sent this letter. The Morans did not provide any response. Ms. Zanti sought to broker a meeting, urging the Morans to call us back.

After the Planning Commission put CCB 23-0430 onto its December 21 agenda, we called the Morans again to notify them of the hearing and to try to hold a meeting. That call was not returned.

The Morans appeared before the Planning Commission at the December hearing. They again testified in opposition, this time focusing on environmental concerns stemming from a 2014 study conducted at the time that CSX was considering a nearby rail facility. The Planning Commission listened to that testimony and voted to approve the bill.

We again spoke with the Morans after the Commission's vote and again requested a meeting to discuss these issues prior to this hearing. The Morans agreed to call us and set up a time to meet, but we have not heard from them. We have called them to notify them of this hearing. That call was not returned.

Chase Hoffberger,  
(e) chase.hoffberger@gmail.com  
(c) 512-536-0763

Daniel Moran  
1505 Parskley Avenue  
Baltimore, MD 21230

Dear Mr. Moran:

I write on behalf of Tri City Property LLC concerning the proposed rezoning of 2529 Georgetown Road. As you know, the property was rezoned from industrial to residential in 2017, during the city's most recent comprehensive rezoning. Following our introduction of legislation to convert the property's zoning back to industrial, Planning Department staff recognized there a mistake had been made in 2017 and recommended approval of the rezoning.

Following your testimony, however, the Planning Commission elected to table the recommendation so that a conversation could be facilitated between you and Tri City, to discuss an issue you raised at the hearing concerning the property line between 1505 Parskley and 2529 Georgetown. You agreed to meet with Tri City following the Commission's request, and we spoke in the lobby of the Planning Department about setting up that conversation.

We are eager to hold this meeting and have pursued communication with you in multiple ways. We have called and left voicemails at your home, providing our number and asking you to call us back. We have also worked with Angela Zanti and the Morrell Park Community Association (MPCA) to broker a conversation. We have communicated these efforts to Planning staff. We are prepared to appear again before the Planning Commission on November 30.

We remain committed to offering a deeding of the land in question to you in exchange for your consent to the rezoning. We recognize that you believe it is currently of 1505 Parskley. We have seen no record that supports your claim. City and state records indicate that the land in question is a part of 2529 Georgetown.

As part of the deeding of this land, we also propose a meeting to discuss a new layout and plan for the structure Tri City intends to build. Currently, our plans include the land in question. If that land were deeded to you, we would modify our plans to accommodate that transfer. We would want to meet with you to discuss the new plans.

We finally propose a meeting to discuss the terms of the memorandum of understanding that we proposed to the MPCA last year and intend to honor even without their signature and express support. Those terms include:

- Constructing an 8ft privacy fence on:
  - the adjusted property line between 2529 Georgetown and 1503 Parksley.
  - the adjusted property line between 2529 Georgetown and 1505 Parksley.
- Limiting vehicular access to and from the property to Georgetown only.
- Limiting building height to a maximum of 35ft.
- Limiting business operating hours to 7am-6pm Monday through Saturday.
- Limiting truck size for trucks accessing the property to a maximum of a 24ft box truck.
- Prohibiting lighting from being installed facing neighboring residential dwellings.
- Prohibiting the outside storage of equipment or debris.

We eagerly await your response to this proposal, and hope that we can meet in accordance with the recent request of the Baltimore City Planning Commission. Thank you for your consideration of this matter.

Sincerely,

Chase Hoffberger,  
on behalf of Kevin Huang,  
Tri City Property LLC

Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

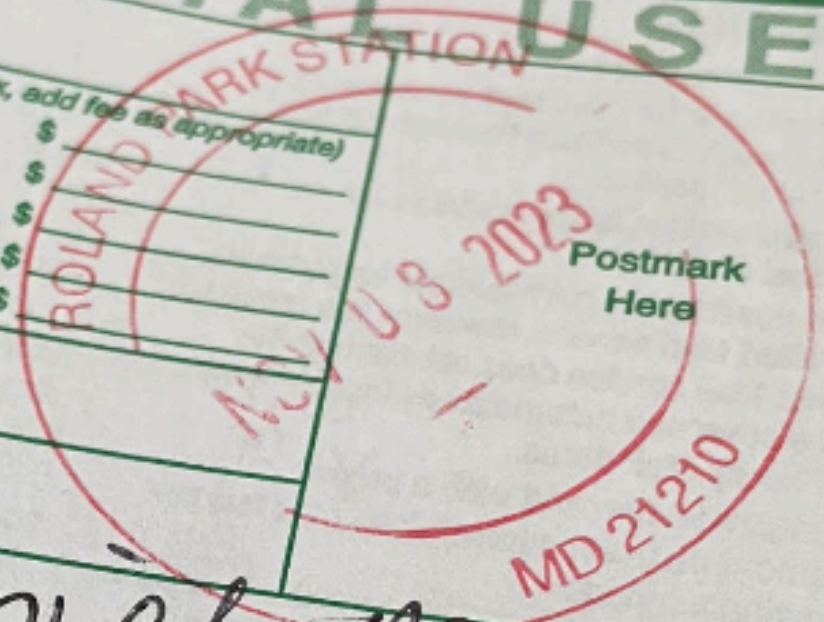
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Total Postage and Fees \$ \_\_\_\_\_



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# MEMORANDUM

The property owner, Tri City Property LLC through resident agent Kevin Huang, introduced legislation to rezone 2529 Georgetown Road, block lots 7796 003, in the Morrell Park neighborhood from R-6 to I-1. Tri City wants to develop the lot as a warehouse facility, to store building materials for Huang's construction business, KH Best Construction Inc. Plans call for a 15,000 square foot structure with two loading garages on Georgetown Road.

## 2529 Georgetown Road

2529 Georgetown Road is located in a small corridor of Morrell Park wedged between Desoto Road to the south and an I-95 frontage road to the west. Rail lines border the area to both the north and east. Aside from a few houses that were built in the 1920s, the area is largely industrial, particularly on Georgetown Road. 2529 Georgetown is bordered to the north by the Arundel Engineering Corporation and to the south (across Parksley Avenue) by a plant for Chesapeake Bay Snacks. Much of the reason for that proliferation of industrial use is that, under the previous Zoning Code, nearly that entire corridor was zoned M-2-1. Only a few individual properties improved by dwelling units within the area were zoned for residential use.

The rezoning process that occurred during Transform Baltimore proliferated the amount of residential zoning in this area. Beginning in 2017, the city applied residential zoning to most properties north of Desoto Road along Georgetown, including this one. 2529 Georgetown is now zoned R-6. We contend that rezoning was a mistake; residential zoning will not encourage the most effective development of this property. In all likelihood, it will not encourage development at all.

## Map Amendments & Required Findings of Fact

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 zoning classification. 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) 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.

Most notable as those findings of fact pertain to 2529 Georgetown Road is that there has been no population change in this section of Morrell Park since before the implementation of Transform Baltimore. There has been no change in transportation patterns. As development along Georgetown makes clear, the dominant use in the area is industrial, despite the presence of a few residential properties.

The City's Comprehensive Master Plan articulates a number of primary visions. This rezoning effort and subsequent industrial development is consistent with Vision 1 and Vision 6. Vision 1 calls for development to be contracted in suitable areas. Here, the Georgetown Road corridor in Morrell Park is well-established as a centralized hub for small-scale industrial use. Vision 6 encourages economic growth as a means of realizing the goals of this master plan. In a neighborhood like Morrell Park, industrial development provides the best opportunity for economic growth. It is the neighborhood's dominant industry and the only viable route toward the development of these specific blocks.

## Summary & Conclusion

The applicant contends that a rezoning unnecessarily took place to accommodate the residential properties, without considering that 2529 Georgetown Road's historic use as an industrial property remains its most appropriate use. The property owner intends to continue that industrial use by improving the lot with a new warehouse. This will align with development in the area and allow for the property to continue enjoying its highest and best use.

## **Additional Standards**

In addition to the necessary findings of fact outlined in § 5-5508(b)(2), the Zoning Code requires that the City Council consider the following additional standards.

1. Existing uses of property within the general area of the property in question;

This section of Morrell Park includes some residential housing. The vast majority of properties historically and currently are used for industrial purposes.

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

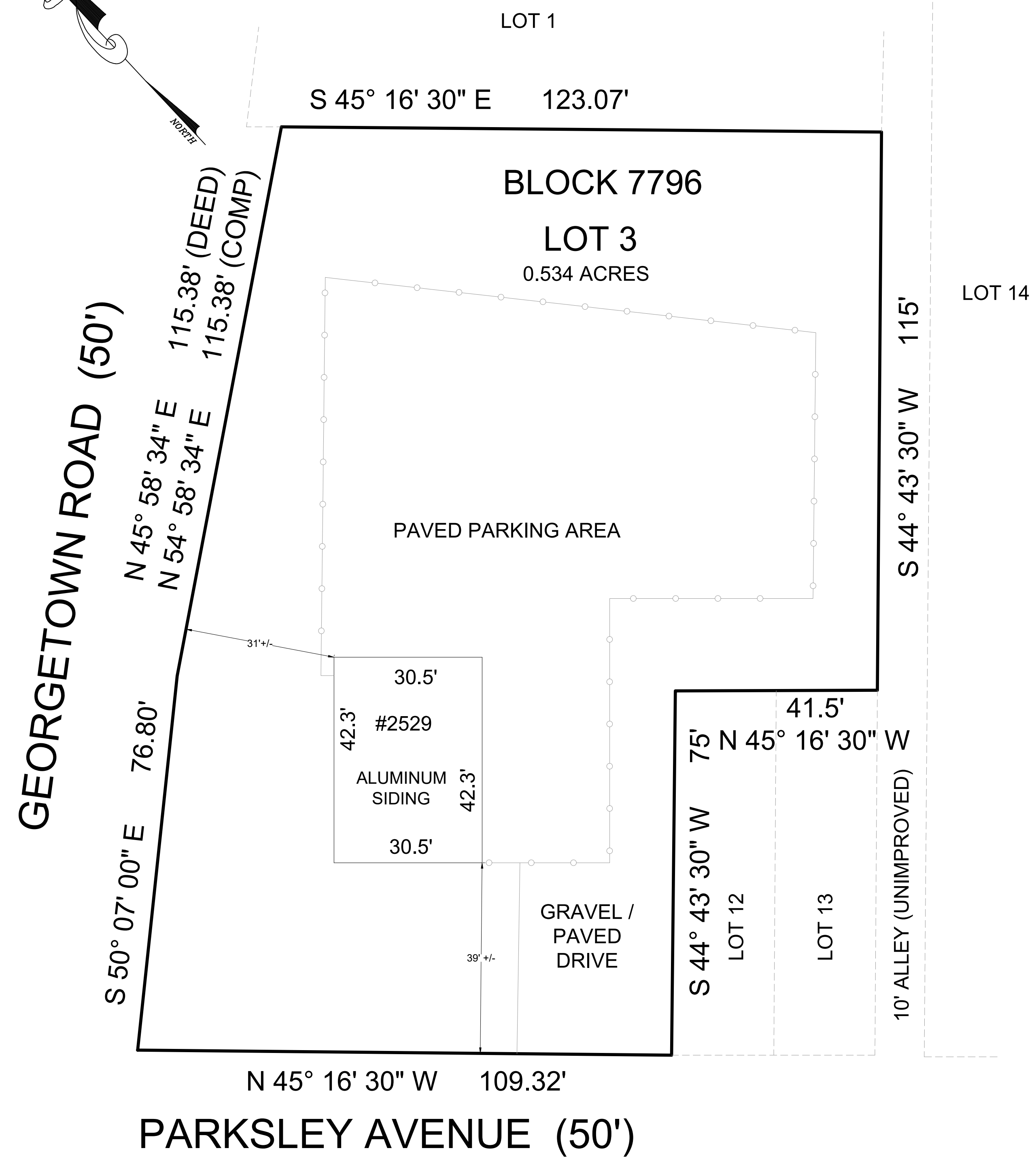
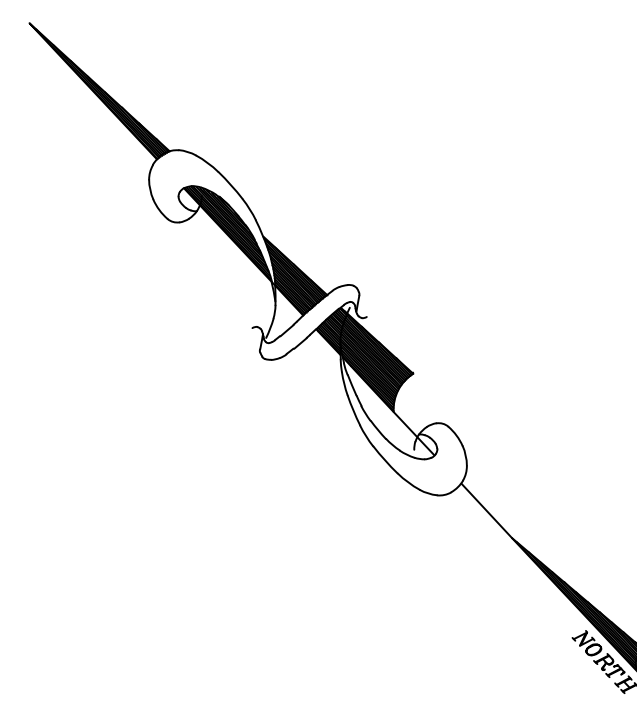
Transform Baltimore brought more R-6 zoning to this section of Morrell Park. However, 2529 Georgetown and its neighboring properties occupy somewhat of an R-6 island, surrounded by industrial zoning.

3. The suitability of the property in question for the uses permitted under its existing zoning classification.

The property is currently improved by a storage container. It is bordered to the west by I-95; to the north by an industrial property; and to the south by another industrial property. There are two small residential dwellings next to the subject property that were built in 1920. It is unlikely that 2529 Georgetown Road would be improved by new housing any time soon if its zoning designation were to remain R-6.

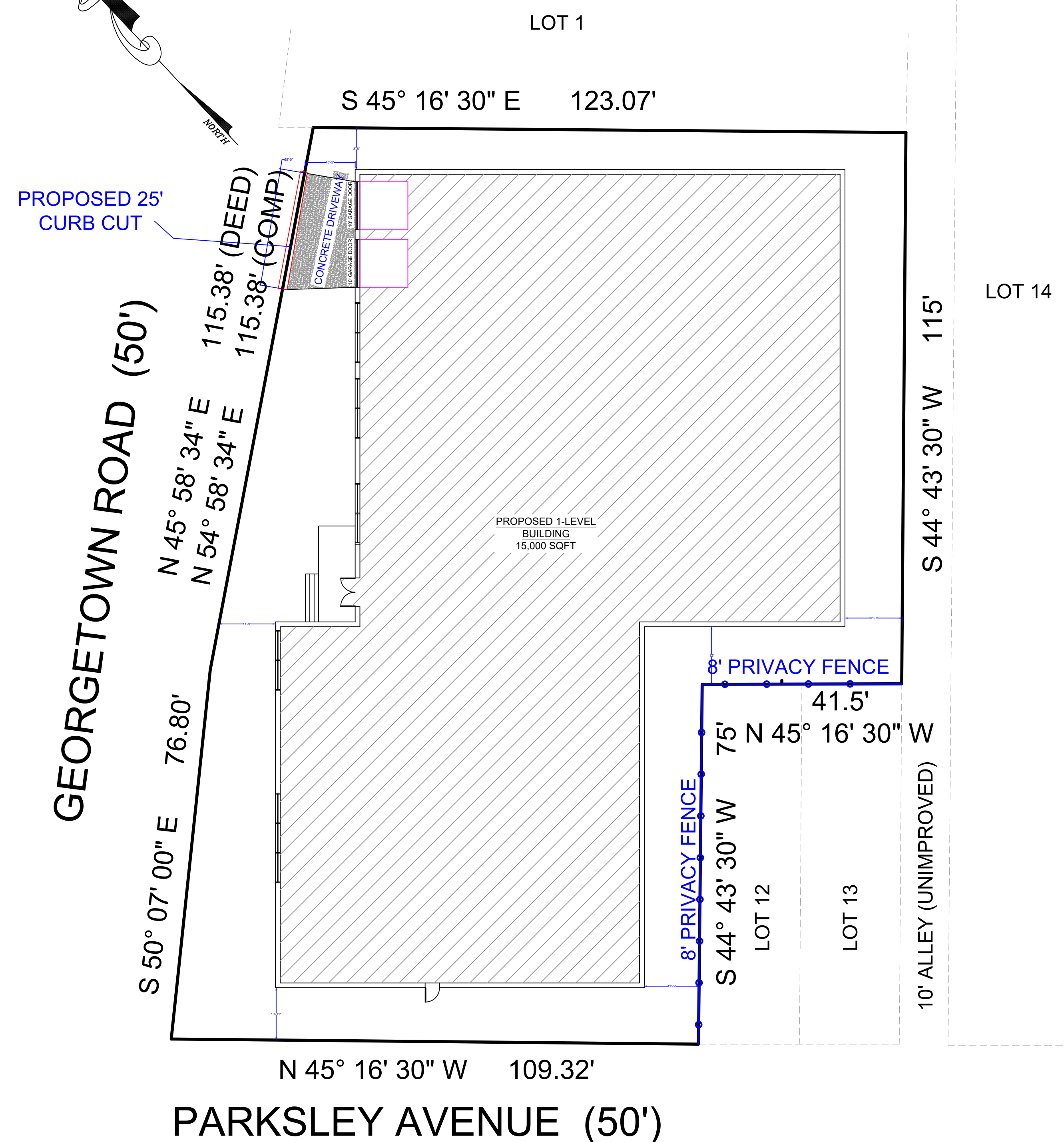
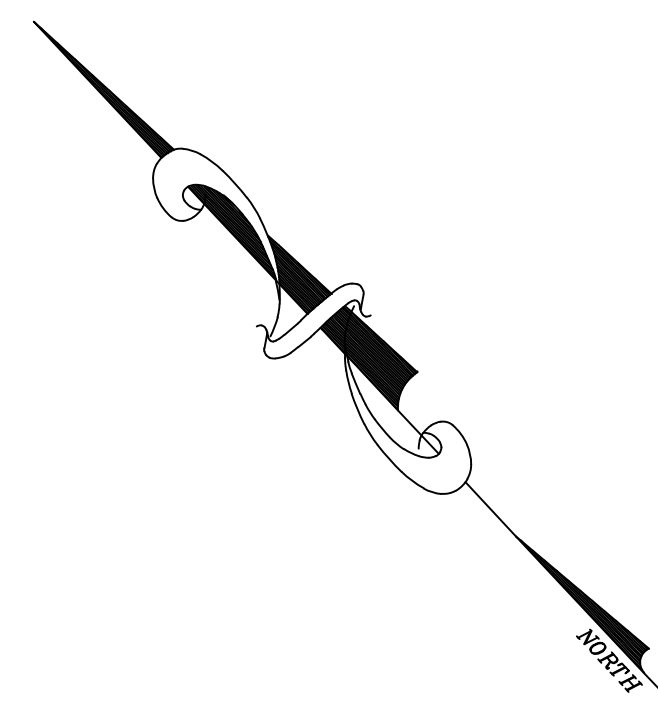
4. The trend of development, if any, in the general area of the property in question, including changes, if any, that have taken place since the property in question was placed in its present zoning classification.

This section of Morrell Park does not see much development, but what development occurs is industrial.



**EXISTING SITE PLAN**

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



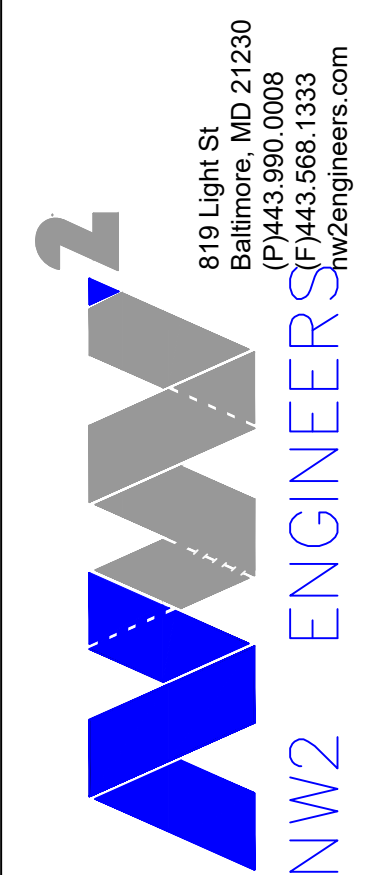
**PROPOSED SITE PLAN**

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

**2529 GEORGETOWN RD**

**LOT INFO:**

- ZONE = R-6 (CURRENT) RE-ZONING TO I-1
- MAP = 0025
- WARD = 25
- PARCEL = 0000
- SECTION = 02
- BLOCK = 7796
- LOT = 003
- TYPE = COMMERCIAL
- PROPERTY LAND AREA = .534 ACRES
- LOT SIZE = .534 ACRES
- EX. BUILDING LOT COVERAGE = 5.2%
- PRO. BUILDING LOT COVERAGE = 75%
- ABOVE GRADE LIVING AREA = 1200 SF
- STRUCTURE BUILT = 2002



REV	DISCRIPTION	DATE

DESIGNED BY: IS
DRAWN BY: IS
REVIEWED BY: JN
DATE: 9/21/23
SCALE: 1/16" = 1'-0"

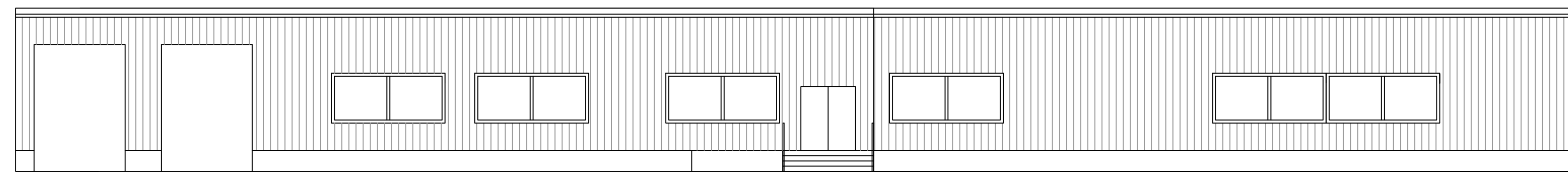
CERTIFICATION	

PROJECT ADDRESS: 2529 GEORGETOWN RD  
BALTIMORE, MD

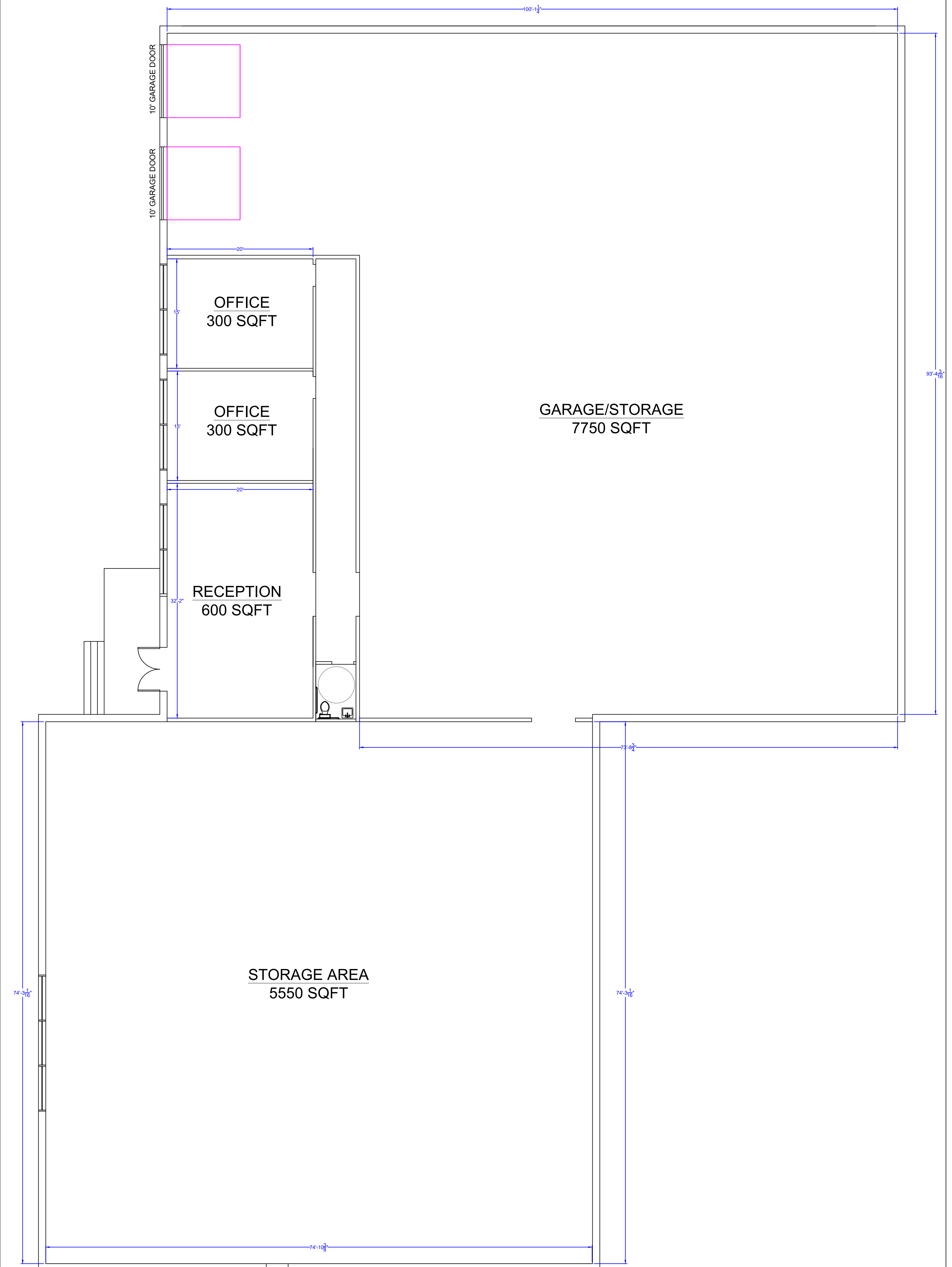
DESCRIPTION: ZONING SET SITE PLAN

# ZONING NOTES:

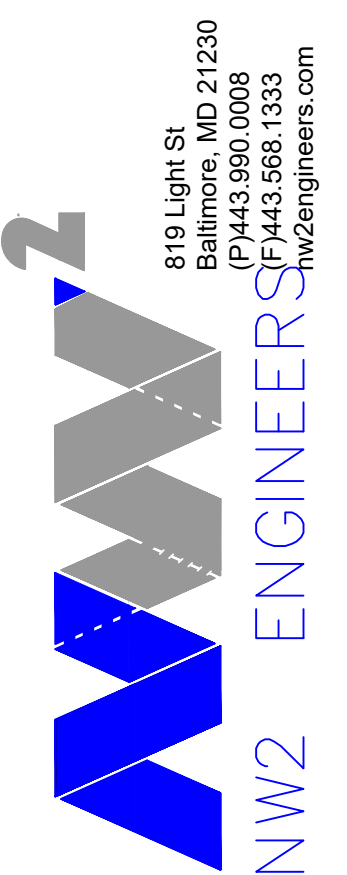
1. RE-ZONING FROM R-6 TO I-1
2. 8 FT PRIVACY FENCE ON PROPERTY LINE W RESIDENTIAL (1503-1505 PARKSLEY)
3. CURB CUT FOR VEHICULAR ENTRANCE TO BE PROPOSED ON GEORGETOWN RD.
4. BUILDING HEIGHT NOT TO EXCEED 35'
5. TRUCKS ACCESSING THE PROPERTY LIMITED TO 24' BOX TRUCK
6. NO LIGHTING WILL BE INSTALLED FACING NEIGHBORING RESIDENTIAL DWELLING AND WILL BE IN CONFORMANCE WITH BALTIMORE CITY LIGHTING RESTRICTIONS.
7. NO EQUIPMENT OR DEBRIS WILL BE STORED OUTSIDE ON PROPERTY. NO OPEN STORAGE.



PROPOSED FRONT ELEVATION  
SCALE: 3/32"=1'-0"



PROPOSED FLOOR PLAN  
SCALE: 1/8"=1'-0"



819 Light St.  
Baltimore, MD 21230  
(P) 410.980.0008  
(F) 410.980.1305  
www.nw2engineers.com

REV	DISCRIPTION	DATE

DESIGNED BY: IS	IS
DRAWN BY: IS	JN
REVIEWED BY: JN	9/21/23
DATE: 9/21/23	AS NOTED
SCALE: AS NOTED	

CERTIFICATION

PROJECT ADDRESS: 2529 GEORGETOWN RD  
BALTIMORE, MD  
DESCRIPTION: ZONING SET  
PROPOSED FLOOR PLAN/ELEVATION

SHEET NUMBER  
**A-2**



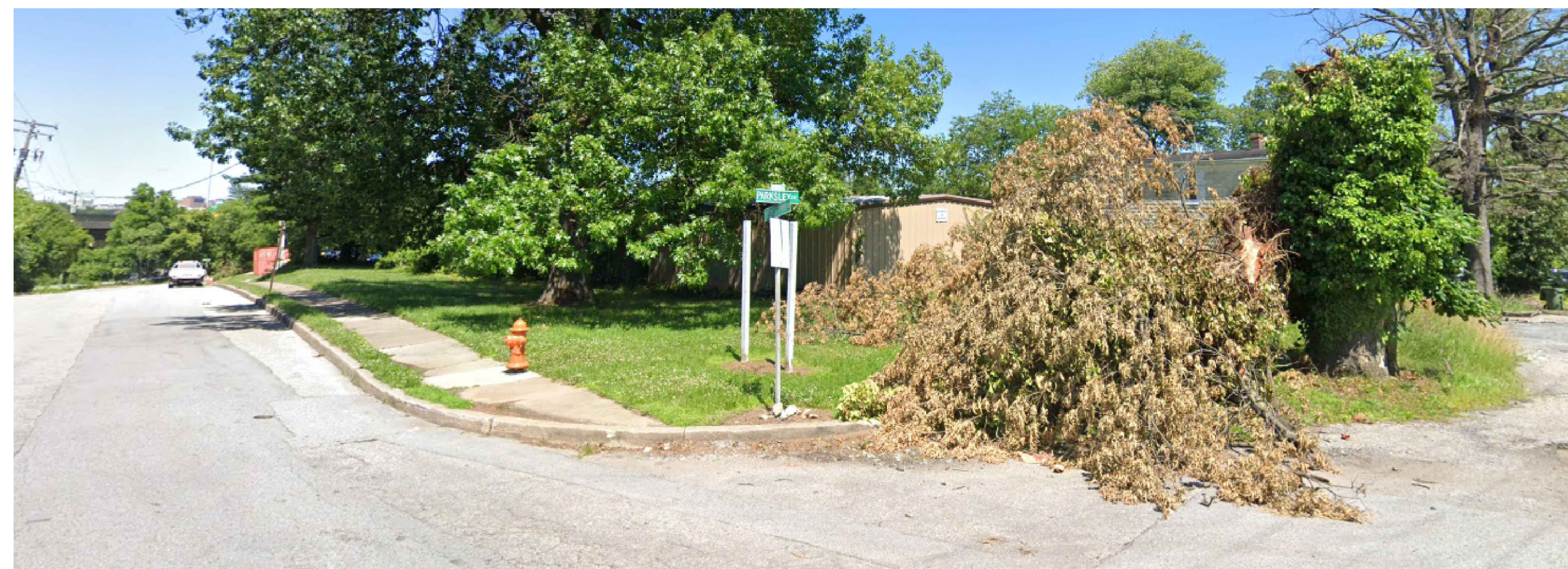
# 2529 GEORGETOWN RD BALTIMORE MD

## SCOPE OF WORK:

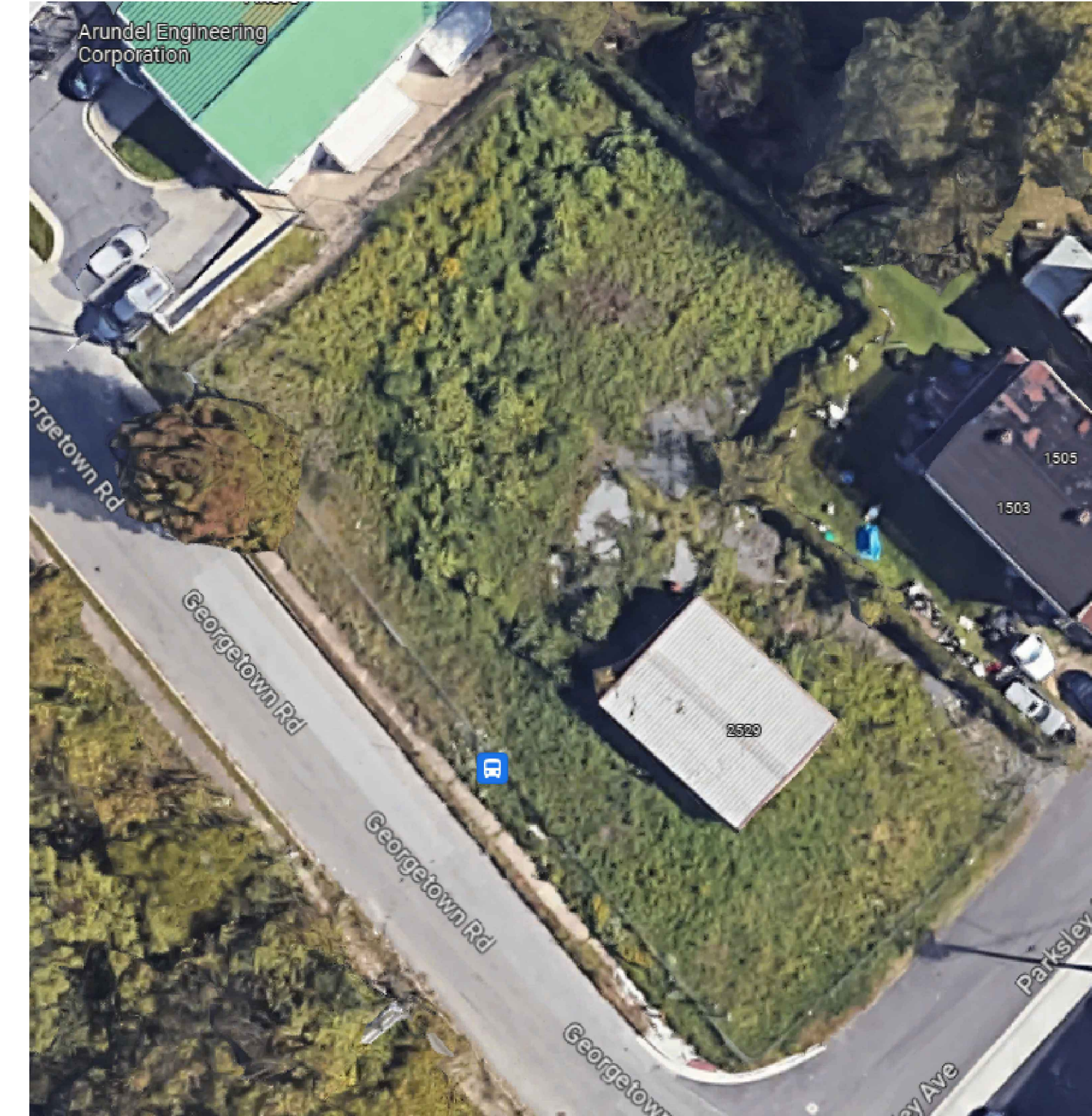
- DEMOLISH EXISTING SHED
- RE-ZONING FROM R-6 TO I-1
- CONSTRUCT 1-STORY 15000 SF MIXED-USE (OFFICE & STORAGE) STRUCTURE
- 25' CURB CUT ON GEORGETOWN RD TO GARAGE DOOR ENTRIES

## DRAWING INDEX:

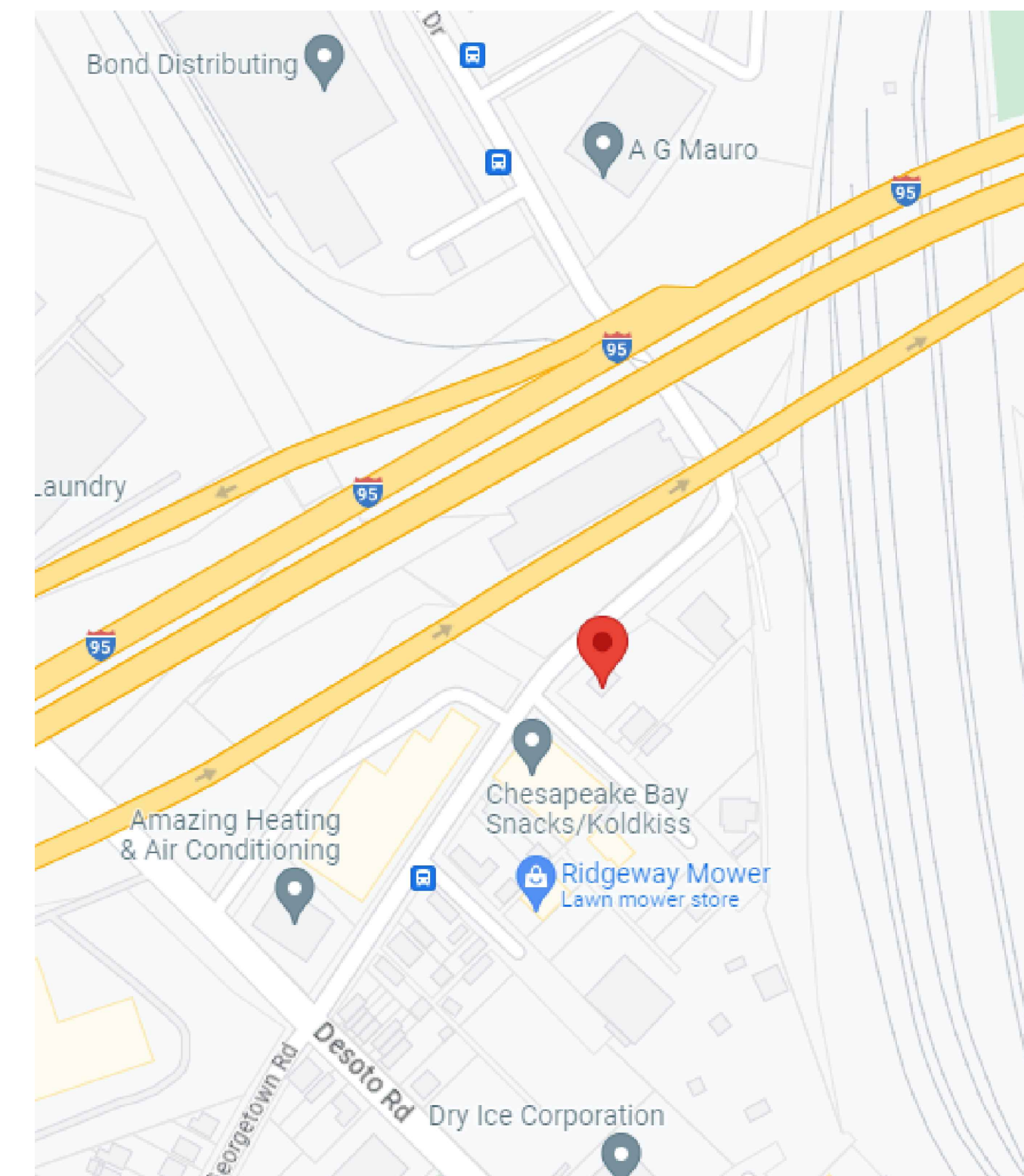
- CS - COVER SHEET
- A-1 - EXISTING & PROPOSED SITE PLAN
- A-2 - PROPOSED ELEVATIONS AND FLOORPLAN



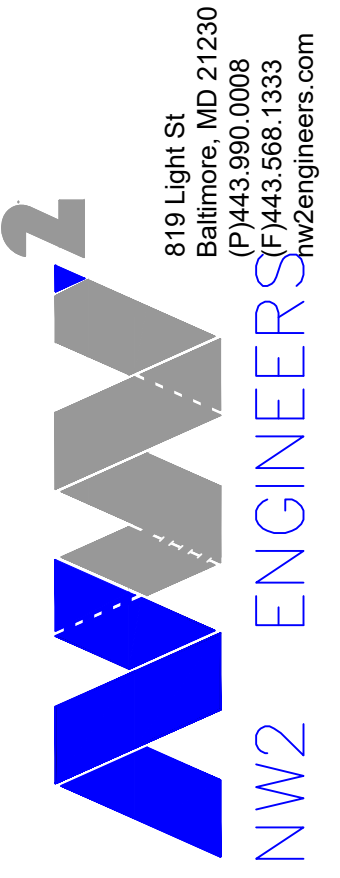
CURRENT PROPERTY



AERIAL VIEW



VICINITY MAP



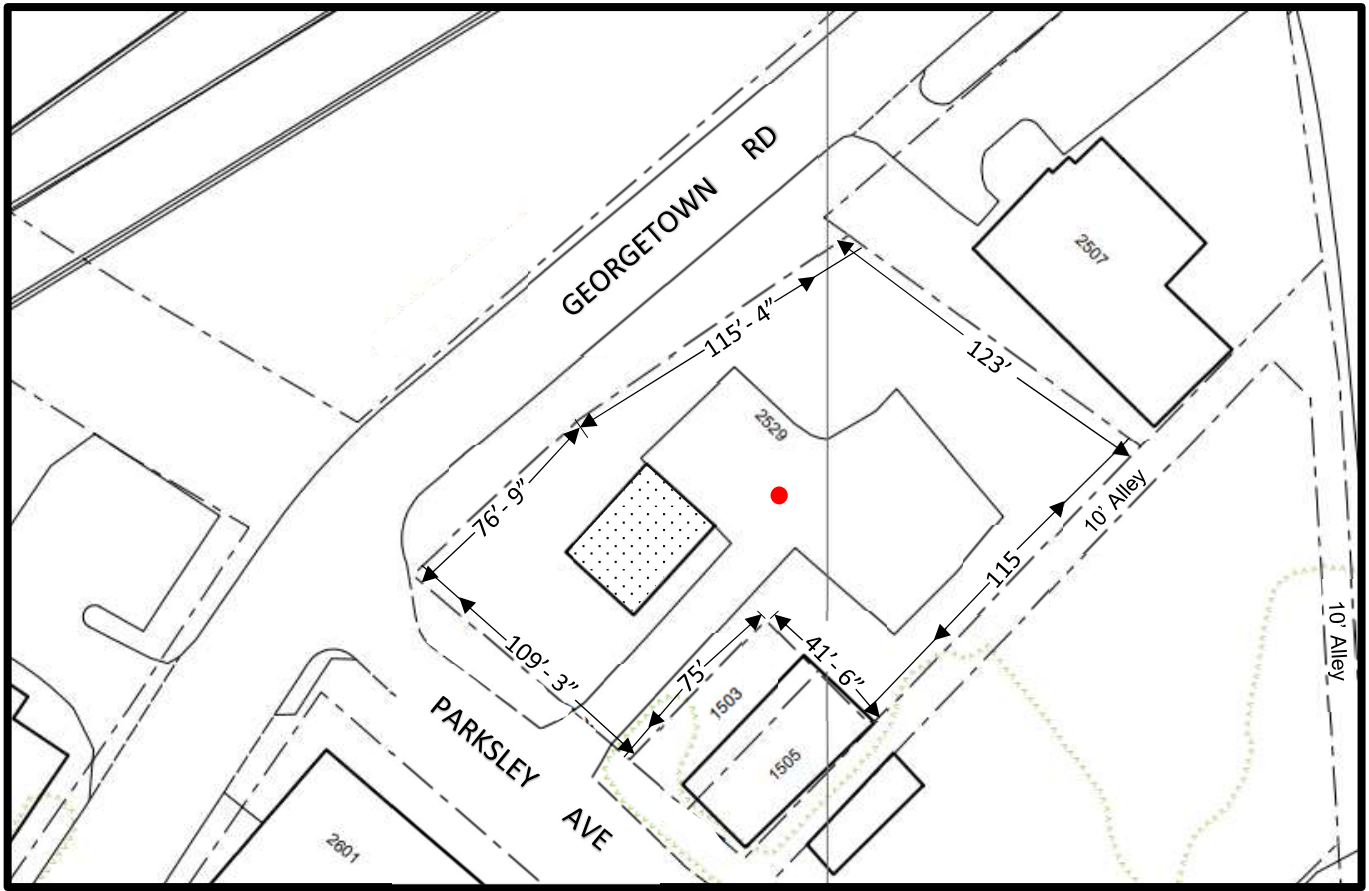
REV	DISCRIPTION	DATE

DESIGNED BY: IS	IS
DRAWN BY: IS	JN
REVIEWED BY: JN	9/21/23
DATE: 9/21/23	SCALE: NTS

CERTIFICATION

PROJECT ADDRESS: <b>2529 GEORGETOWN RD BALTIMORE, MD</b>	DESCRIPTION: <b>ZONING SET COVER SHEET</b>
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SHEET NUMBER <b>CS</b>
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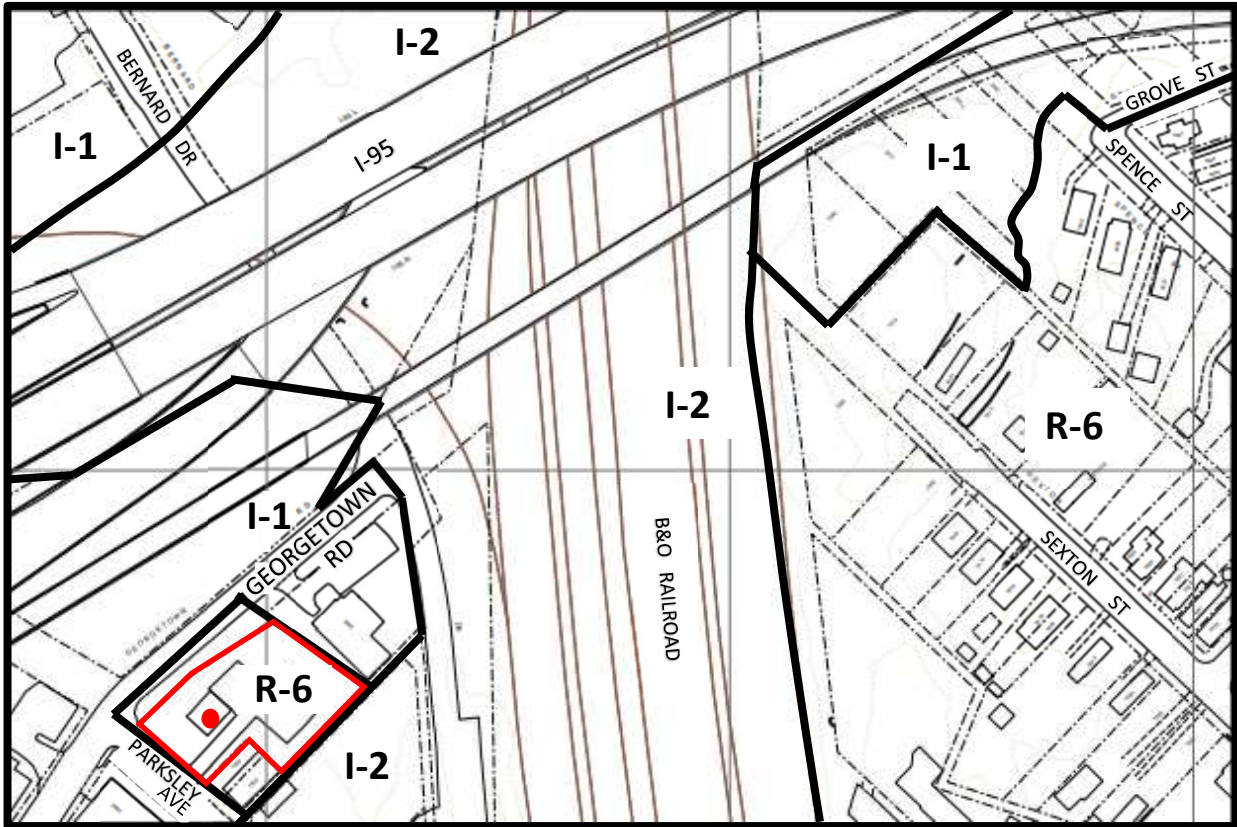


Scale: 1" = 60'

2529 GEORGETOWN ROAD

Sheet #2

**SHEET NO. 63 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'

In Connection With The Property Known As  
No. 2529 GEORGETOWN ROAD. The Applicant  
Wishes To Request The Rezoning Of The  
Aforementioned Property From R-6 Zoning District  
to I-1 Zoning District, As Outlined In Red Above.

WARD 25      SECTION 2  
BLOCK 7796      LOT 3

\_\_\_\_\_

MAYOR

\_\_\_\_\_

PRESIDENT CITY COUNCIL

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE MORRELL PARK UNITED COMMUNITY ASSOCIATION  
AND  
KEVIN HUANG, OWNER OF KH BEST CONSTRUCTION COMPANY  
Regarding 2529 Georgetown Rd, Baltimore Maryland 21230

August 8, 2022

In return for community support of the proposed rezoning of the property at 2529 Georgetown Rd, Baltimore MD 21230 from R-6 to I-1 Kevin Huang and KH Best Construction Company agree to:

1. Construct an 8ft privacy fence on:
  - a. the property line between 2529 Georgetown Rd, Baltimore Maryland and 1503 Parksley Ave
  - b. the property line between 2529 Georgetown Rd, Baltimore Maryland and 1505 Parksley Ave
2. Limit vehicular access to and from the property to Georgetown Rd only.
3. Limit building height to a maximum of 35ft.
4. Limit business operating hours to 7am-6pm Monday through Saturday.
5. Limit truck size for trucks accessing the property to a maximum of a 24ft box truck.
6. No lighting will be installed facing neighboring residential dwellings and will be in conformance with Baltimore City lighting restrictions.
7. No equipment or debris will be stored outside in the open on the property. There will be no open storage.
8. Commit to being a conscientious neighbor and partner with the community for the redevelopment of 2529 Georgetown Rd and is supportive of community activity.

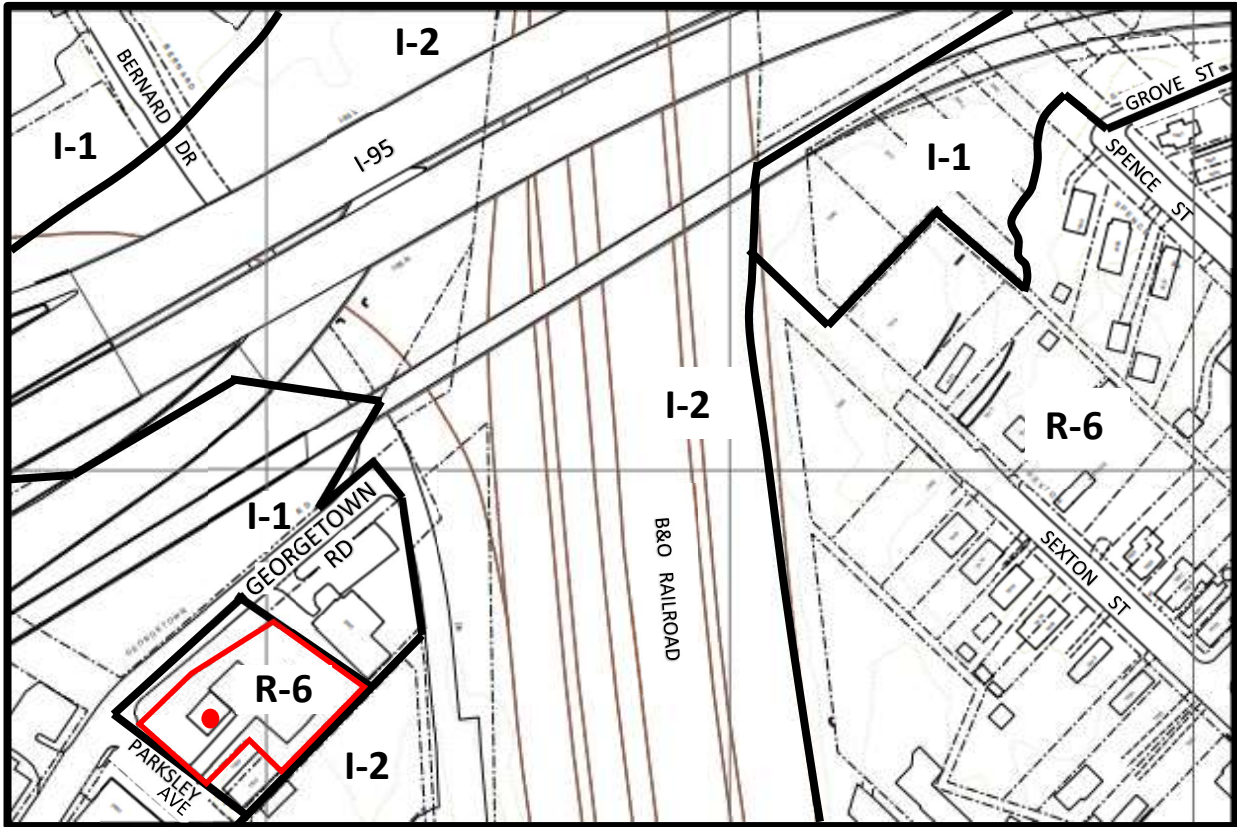
Wendy Roberts  
President  
Morrell Park United Community Association

Kevin Huang  
Owner  
KH Best Construction Company

X \_\_\_\_\_  
August 8, 2022

X \_\_\_\_\_  
August 8, 2022

**SHEET NO. 63 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'

In Connection With The Property Known As  
No. 2529 GEORGETOWN ROAD. The Applicant  
Wishes To Request The Rezoning Of The  
Aforementioned Property From R-6 Zoning District  
to I-1 Zoning District, As Outlined In Red Above.

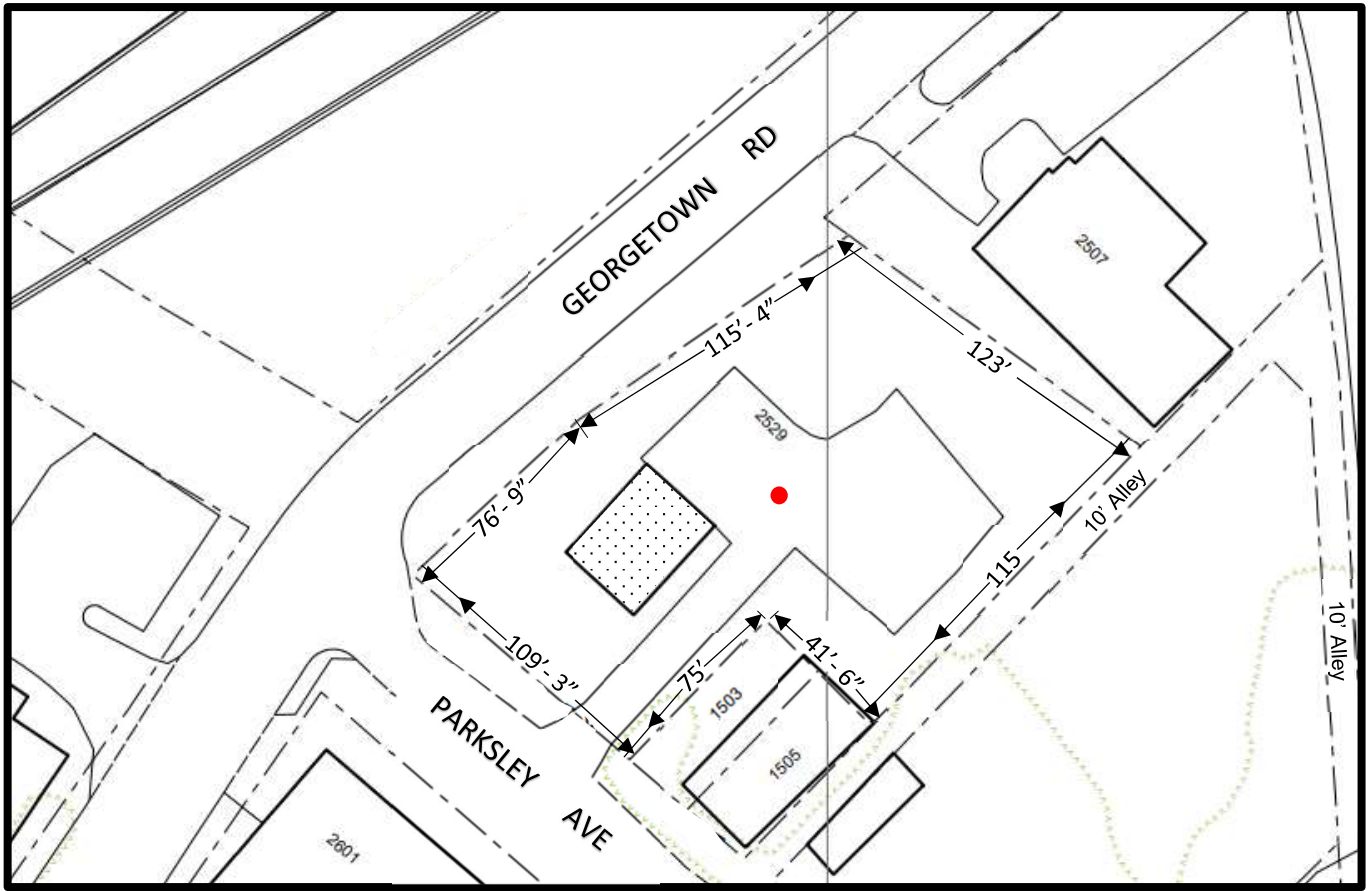
WARD 25      SECTION 2  
BLOCK 7796      LOT 3

\_\_\_\_\_

MAYOR

\_\_\_\_\_

PRESIDENT CITY COUNCIL



Scale: 1" = 60'

2529 GEORGETOWN ROAD

Sheet #2

**ZONING ORDINANCE REQUEST**

**STATEMENT OF INTENT**

**FOR**

*{Property Address; Block7796, Lot003 }*

**1. Applicant's Contact Information:**

Name:

Mailing Address:

Telephone Number:

Email Address:

**2. All Proposed Zoning Changes for the Property:**

**3. All Intended Uses of the Property:**

**4. Current Owner's Contact Information:**

Name:

Mailing Address:

Telephone Number:

Email Address:

**5. Property Acquisition:**

The property was acquired by the current owner on \_\_\_\_\_ by deed recorded in the  
Land Records of Baltimore City in Liber \_\_\_\_\_ Folio \_\_\_\_\_ .

**6. Contract Contingency:**

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

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

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

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

**7. Agency:**

(a) The applicant is            is not            acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority owners of any corporate entity are as follows {use additional sheet if necessary}:

**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.

*Charles Hoffberger*  
\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Date



Maryland The Daily Record  
200 St. Paul Place  
Baltimore, MD, 21202  
Phone: 4435248100

MARYLAND  
**THE DAILY RECORD**

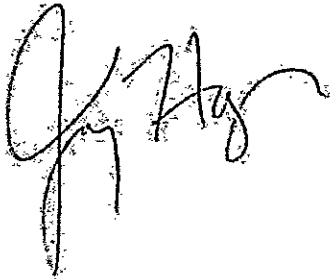
**Affidavit of Publication**

To: AB Associates - Chase Hoffberger  
225 E Redwood Street  
Baltimore, MD, 21202

Re: Legal Notice 2576270,  
PUBLIC HEARING ON BILL NO. 23-0430

We hereby certify that the annexed advertisement was published in Maryland The Daily Record, a Daily newspaper published in the State of Maryland 1 time(s) on the following date(s): 01/29/2024

By



Joy Hough  
Authorized Designee of the Publisher

**Baltimore City**

**BALTIMORE CITY COUNCIL  
PUBLIC HEARING ON BILL NO. 23-0430**

The Economic and Community Development Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 23-0430 on March 5, 2024, at 2:00 p.m. in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

**Rezoning - 2529 Georgetown Road**

For the purpose of changing the zoning for the property, known as 2529 Georgetown Road (Block 796, Lot 003), as outlined in red on the accompanying plat, from the R-6 Zoning District to the I-1 Zoning District.

Applicant: Joseph R. Woolman III

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

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

**SHARON GREEN MIDDLETON**  
Chair

ja23 2576270

MARYLAND  
**THE DAILY RECORD**

A Division of BridgeTower Media  
P.O Box 745929  
Atlanta, GA 30374-5929

Invoice # 745670757  
Invoice Date 01/29/2024  
Customer AB Associates, ID: 247510  
Payment Terms PrePay  
Due Date 01/29/2024

**BILLING ADDRESS**

Chase Hoffberger  
AB Associates  
225 E Redwood Street  
Baltimore MD 21202

**ADVERTISER**

AB Associates, ID: 247510  
225 E Redwood Street  
Baltimore MD 21202

INVOICE REF	MEDIA	DATE	PO	EDITION	QTY	AD SIZE
1007244006	The Daily Record (BLT) - Public Notice	01/29/24		Legal - Government	1	Legal - Government

Thank you for your business!  
IOID: 2576270  
Index: Government - Baltimore City  
Category: Baltimore City  
Affidavit Reference: PUBLIC HEARING ON BILL NO. 23-0430

Subtotal	\$125.50
Tax	\$0.00
Credits	\$0.00
<b>BALANCE DUE</b>	<b>\$125.50</b>

-----  
**REMITTANCE STUB TO BridgeTower Media**

Invoice #	745670757 The Daily Record (BLT) - Public Notice	Date	01/29/2024	Customer ID	ID: 247510, AB Associates
Amount Enclosed:					

**Acceptable Payment Methods**

<p><b>PREFERRED METHOD</b> To Pay by ACH Transfer: Bank: Bank of America Send ACH remittance email to ar@bridgetowernmedia.com Account Number: 237025443017 Routing: 053000198</p>	<p><b>OTHER METHODS</b> To Pay by Check use the following address: Please include invoice number on check BridgeTower OpCo, LLC P.O Box 745929 Atlanta, GA 30374-5929</p>	<p><b>To Pay by Credit Card:</b> Use the Click to Pay Online link located on the email you received or Contact Accounts Receivable: 866-802-8214 Please have your Invoice Number and Credit Card Number Ready</p>	<p><b>To Pay by Wire Transfer:</b> Name: BridgeTower OpCo, LLC Bank: Bank of America Swift Code: BOFAUS3N Bank Address: 100 North Tryon Street Charlotte, NC 28255 Account Number: 237025443017 Routing: 053000198</p>
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**Baltimore City Council  
Certificate of Posting - Public Hearing Notice**

*Today's Date: February 5, 2024*

**City Council Bill No.: 23-0430**



I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:

**Address: 2529 Georgetown Road (1 of 2)**

**Date Posted: February 3, 2024**

---

**Name: AB Associates c/o Chase Hoffberger**

**Address: 225 E. Redwood Street**  
**Baltimore, Md. 21202**

**Telephone: 512-536-0763**

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

**Baltimore City Council  
Certificate of Posting - Public Hearing Notice**

Today's Date: February 5, 2024

**City Council Bill No.: 23-0430**



I HEREBY CERTIFY, under penalty of perjury, that a sign was posted at:

**Address: 2529 Georgetown Road (2 of 2 – Parksley Avenue side)**

**Date Posted: February 3, 2024**

**Name: AB Associates c/o Chase Hoffberger**

**Address: 225 E. Redwood Street**

**Baltimore, Md. 21202**

**Telephone: 512-536-0763**

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