


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #23-0442/ REZONING – 2220 REISTERSTOWN ROAD		

TO

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

DATE: April 19, 2024

At its regular meeting of April 18, 2024, the Planning Commission considered City Council Bill #23-0442, for the purpose of changing the zoning for the property known as 2220 Reisterstown Road (Block 3227, Lot 050), as outlined in red on the accompanying plat, from the C-2 Zoning District to the C-1 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended disapproval of City Council Bill #23-0442. After a failed motion to recommend disapproval was taken (four in favor, three opposed), the Commission then deliberated further and considered a motion to recommend approval of the bill. Though some members were not fully convinced that the standards for rezoning had been met, the Commission adopted the following resolutions, with seven members being present (seven in favor):

RESOLVED, That the Planning Commission does not concur with the recommendation of its departmental staff, and instead recommends that City Council Bill #23-0442 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

April 18, 2024

REQUEST: City Council Bill 23-0442 / Zoning

For the purpose of changing the zoning for the property known as 2220 Reisterstown Road (Block 3227, Lot 050), as outlined in red on the accompanying plat, from the C-2 Zoning District to the C-1 Zoning District.

RECOMMENDATION: Denial

STAFF: Tarek Bolden

PETITIONERS: Councilmember Torrence

OWNER: Tatvamasi, LLC

SITE/ GENERAL AREA

Site Conditions: This property is located on the west side of the street, directly adjacent to the intersection of Windsor Avenue and Reisterstown Road. It is currently occupied with a two-story commercial building. This structure was built in 1954 and is approximately 18,020 square feet and sits on a 29,098 sq ft lot. The site is zoned C-2 and is on the eastern side of the Mondawmin community.

General Area: This is a primarily commercial corridor, with a collection of residential uses at the northern end of the corridor and small street-corner commercial uses. The area lies between the Mondawmin Mall and the Pennsylvania Avenue Main Street corridor. This area also is directly north of the West Impact Investment Area.

HISTORY

The area around this property was rezoned from B-3-2 to C-2 zoning during the comprehensive rezoning process associated with adoption of the current Zoning Code which became effective on June 5, 2017.

CONFORMITY TO PLANS

The proposed action may be considered consistent with the Greater Rosemont and Mondawmin Area Plan

ANALYSIS

Zoning Analysis:

- The Zoning Code requires, for a property to be rezoned it must meet the following criteria:

Per §5-508 {"Approval standards"} of Article 32 – *Zoning*:

- (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.
- *Other required findings:* Planning staff conclude that the conditions on which this application is based would create a spot zone along the Reisterstown Road corridor, creating a zoning classification that is inconsistent with the neighboring commercial zoning.

Below is staff’s review of §5-508 {"Approval Standards"} of Article 32 – *Zoning*:

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 - (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.

Staff finds that a zoning change at this location would constitute a spot zoning situation and make the site incompatible with the surrounding commercial properties. The surrounding area is one in which the predominant commercial property type is car oriented retail and commercial uses. The proposed rezoning would not be consistent with the intent and purpose of the Zoning Code.

Equity considerations: This property is located within a part of Baltimore City that has lower real estate market values and a proportion of non-whites that is above the City-wide average. The Mondawmin community, as part of the larger West Baltimore area, has suffered from significant net disinvestment, combined with population losses, for several decades. While there may be an apparent or predictable changes to the quality of life in the Mondawmin community that would result from disapproval of this proposed action, the creation of a spot zoning situation may create more harm than good in the long term revitalization of this area. By itself, the proposed action could change existing patterns of inequity that persist in Baltimore by restricting certain uses. However, the proposed action should be considered in the context of other actions generating both investment in and re-activation of significant parts of West Baltimore. There would be no effect on internal operations of the Department of Planning that would result from approval of the proposed action.

Notification: The Greater Mondawmin Coordinating Council, The Auchentoroly Terrace Association and Councilman Torrence have been notified of this action.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Chris Ryer
Director