

FINDINGS OF FACT

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

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

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

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

1. Map Amendments & Required Findings of Fact

Per Zoning Code § 5-508(b)(1), Baltimore’s City Council may approve the legislative authorization for a rezoning based on a finding that there was either (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the zoning classification. The applicant proffers that a mistake was made with regard to this property’s zoning in 2017, during Transform Baltimore.

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

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

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

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

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

A. Population changes

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

B. The availability of public facilities

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

C. Present and future transportation patterns

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

D. Compatibility with existing and proposed development for the area

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

E. The recommendations of the City agencies and officials

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

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

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

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

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

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

2. Additional Standards

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

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

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

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

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

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

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

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

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

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

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

3. Summary & Conclusion

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