



## BILL SYNOPSIS

Committee: Land Use

Bill: 20-0508

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### Rezoning - 5401 Pulaski Highway

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**Sponsor:** Councilmember McCray

**Introduced:** March 9, 2020

**Purpose:**

For the purpose of changing the zoning for the property known as 5401 Pulaski Highway (Block 6242C, Lot 003), as outlined in red on the accompanying plat, from the I-1 Zoning District to the C-4 Zoning District.

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

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### Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Unfavorable
Department of Transportation	
City Solicitor	
Department of Housing and Community Development	
Baltimore Development Corporation	Unfavorable

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## Analysis

### Current Law

Article 32 – Zoning, Zoning District Map Sheet 49. 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 5401 Pulaski Highway from the I-1 Zoning District to the C-4 Zoning District. 5401 Pulaski Highway is located on the south side of the street between the railroad line and the Rt. 40 cloverleaf. The property contains approximately 1.13 acres and is currently improved with a one-story industrial building.

The property was zoned M-2-1 before it was rezoned to its current I-1 designation during the Transform Baltimore comprehensive rezoning, effective June 2017. The BMZA approved accessory motor vehicle sales on the property on March 21, 2016, subject to certain conditions, including that such sales be accessory to the principal use of motor vehicle service and repair.

The property is located within the Kresson neighborhood. Kresson is bounded roughly by Pulaski Highway to the north; Erdman Avenue, I-895, and CSX railroad tracks to the east; Haven Street to the west; and Lombard and Pratt Streets to the south. The adjacent properties to the north and east of the subject property are zoned I-1, while the areas to the west and south are zoned I-2. The surrounding properties' usage consists of transportation (railroad and highway), and light and heavy industry. There is also a legally non-conforming motor vehicle sales use at the abutting property, 5501 Pulaski Highway.

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

Current Zoning District – I-1

The I-1 Light Industrial Zoning District is intended to provide for a wide variety of light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses. Light industrial uses are enclosed low-intensity, non-nuisance light fabrication and assembly type manufacturing, with little to no outside impacts.

Proposed Zoning District – C-4

The C-4 Heavy Commercial Zoning District is intended for areas of more intense commercial use that are generally not appropriate for lower intensity commercial districts, including uses related to motor vehicles and those that might require outdoor storage. Because of the impacts from more intensive commercial uses, the standards for this district ensure that setbacks, buffering, and site development controls are in place to mitigate negative impacts on neighboring uses.

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**Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Reporting Agencies, Statement of Intent, Bill 20-0508.

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