

Introduced by: Councilmember Dorsey, *Cohen*

At the request of: Property Consulting, Inc.

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg LLP, 25 South
Charles Street, 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Prepared by: Department of Legislative Reference

Date: February 24, 2017

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0032

A BILL ENTITLED

AN ORDINANCE concerning

Rezoning – 5717 and 5723 Harford Road

FOR the purpose of changing the zoning for the properties known as 5717 and 5723 Harford Road, as outlined in red on the accompanying plat, from the R-4 Zoning District to the C-2 Zoning District; and providing for a special effective date.

BY amending

Article - Zoning

Zoning Map

Sheet(s) 18 and 19

Baltimore City Revised Code
(Edition 2000)



No. _____

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<div> <div>Department of Public Works</div> <div>Department of Real Estate</div> <div>Department of Recreation and Parks</div> <div>Department of Transportation</div> <div>Fire Department</div> <div>Health Department</div> <div>Mayor's Office of Employment Development</div> <div>Mayor's Office of Human Services</div> <div>Mayor's Office of Information Technology</div> <div>Office of the Mayor</div> <div>Police Department</div> <div>Other:</div> <div>Other:</div> </div>	<div> <div>Baltimore City Public School System</div> <div>Baltimore Development Corporation</div> <div>City Solicitor</div> <div>Comptroller's Office</div> <div>Department of Audits</div> <div>Department of Finance</div> <div>Department of General Services</div> <div>Department of Housing and Community Development</div> <div>Department of Human Resources</div> <div>Department of Planning</div> <div>Other:</div> <div>Other:</div> </div>
<div> <div>Environmental Control Board</div> <div>Fire & Police Employees' Retirement System</div> <div>Labor Commissioner</div> <div>Parking Authority Board</div> <div>Planning Commission</div> <div>Wage Commission</div> <div>Other:</div> <div>Other:</div> <div>Other:</div> </div>	<div> <div>Board of Estimates</div> <div>Board of Ethics</div> <div>Board of Municipal and Zoning Appeals</div> <div>Comm. for Historical and Architectural Preservation</div> <div>Commission on Sustainability</div> <div>Employees' Retirement System</div> <div>Other:</div> <div>Other:</div> <div>Other:</div> </div>

Boards and Commissions

TO: Caroline L. Hecker, Esq., Rosenberg, Martin, Greenberg LLP
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council
DATE: May 9, 2017
RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR REZONING

The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

Bill: City Council Bill No. 17-0032
Date: Wednesday, June 14, 2017
Time: 1:30 P.M.
Place: City Council Chambers, 4th floor of City Hall, 100 N. Holliday Street.

At the expense of the applicant, notice of this public hearing:

- 1) **must be posted by sign on the property involved, 15 days prior to date of hearing. The sign is to be not less than 4 feet long and 3 feet wide with black lettering 2 inches high on a white back-ground. The sign is to be placed in a conspicuous manner not over 10 feet above the ground; and**
- 2) **must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.**
- 3) **any owner of the property whose property is identified on the tax records of Baltimore City must be sent a letter, by 1st class mail, notifying the owner of the hearing. The owner must receive the notice 15 days prior to the hearing date.**

Please note that ALL of these requirement MUST be met in order for your hearing to proceed as scheduled.

Newspaper Advertisement

You may choose any of the following newspapers for advertising purposes: The Daily Record, The Sun, or the Afro-American.

Wording for Sign and Newspaper Advertisement

The information that must be advertised and appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

Certification of Postings

Certification of the sign posting on the property and publication of the newspaper advertisements, in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND A SIGN MUST BE POSTED ON THE PROPERTY ON TUESDAY, MAY 30, 2017 AS OUTLINED ON THE PREVIOUS PAGE.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0032

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, June 14, 2017 at 1:30 P.M in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0032.

CC 17-0032 ORDINANCE - **Rezoning - 5717 and 5723 Harford Road** - FOR the purpose of changing the zoning for the properties known as 5717 and 5723 Harford Road, as outlined in red on the accompanying plat, from the R-4 Zoning District to the C-2 Zoning District; and providing for a special effective date.

BY amending
Article - Zoning
Zoning Map
Sheet(s) 18 and 19
Baltimore City Revised Code
(Edition 2000)

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

EDWARD REISINGER

Chairman

SEND CERTIFICATION OF PUBLICATION TO:

Natawna B. Austin
Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202
410-396-1697

SEND BILL FOR THIS ADVERTISEMENT TO:

Caroline L. Hecker, Esq.
25 South Charles Street, 21st Floor
Baltimore, MD 21201
410-727-6600

Certificate of Posting
Baltimore City Council
Introduction Notice City Council Bill No. 17-0032

ZONING NOTICE

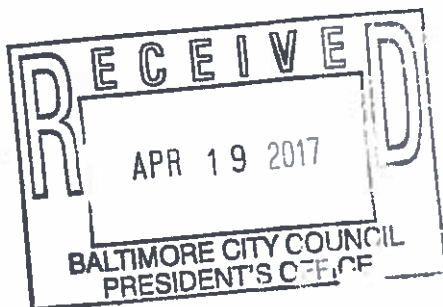
TO WHOM IT MAY CONCERN:


NOTICE IS HEREBY GIVEN THAT
CITY COUNCIL BILL NO.: 17-0032
HAS BEEN INTRODUCED INTO THE
CITY COUNCIL OF BALTIMORE.
PROPERTY KNOWN AS: 5717 and 5723
Harford Road

IS PROPOSED TO BE ☒ REZONED FROM: R-4 TO C-2
☐ CONDITIONAL USE AS: _____
☐ PLANNED UNIT DEVELOPMENT: _____ NAME _____
☐ OTHER: _____

BY AUTHORITY OF ARTICLE - ZONING, BALTIMORE CITY CODE
FOR INFORMATION, CONTACT: EDWARD REISCHER, CHAIR, LAND USE AND TRANSPORTATION COMMITTEE, 410-390-4623

5717 and 5723 Harford Road

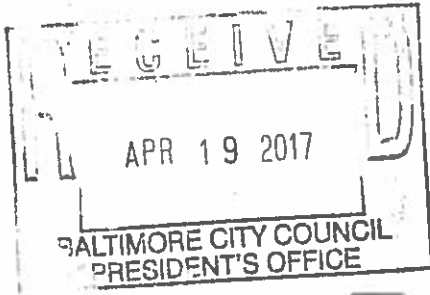


 4/14/17
Richard E. Hoffman
904 Dellwood Drive
Fallston, Md. 21047
443-243-7360

Certificate of Posting

Baltimore, MD 4/14/17, 2007

I hereby certify that the sign relating to City Council Bill 17-0032, introduced on 3/6, 2007 was posted on the premises in question from 3/13, 2007 to 4/14, 2007 in accordance with the above instructions.



Deborah E. Heckler FOR CAROLINE HECKLER, City
SIGNATURE OF PROPERTY OWNER OR AUTHORIZED REPRESENTATIVE

"NOTICE OF INTRODUCTION" SIGN - POSTING REQUIRED (For Conditional Use, Planned Unit Development and Rezoning Ordinances)

Each applicant requesting authorization of the City Council for a conditional use, a change in the zoning classification of property, or a planned unit development is required to post in a conspicuous place on the property a sign giving notice of the requested authorization or zoning classification change. The property must be posted for at least 30 days beginning one week after the bill is introduced in the City Council. Signs are provided by the Department of Legislative Reference (396-4730) for a \$20.00 fee.

"NOTICE OF INTRODUCTION" SIGN

<p align="center">ZONING NOTICE</p>	
<p align="center">TO WHOM IT MAY CONCERN:</p>	
<p>NOTICE IS HEREBY GIVEN THAT CITY COUNCIL BILL NO. <u>7-0032</u> HAS BEEN INTRODUCED INTO THE CITY COUNCIL OF BALTIMORE.</p>	
<p>THE PROPERTY KNOWN AS: <u>5717 and 5723 Harford Road</u></p>	
<p>IS PROPOSED TO BE</p>	
<p><input checked="" type="checkbox"/> REZONED FROM: <u>R-4</u></p>	<p><input type="checkbox"/> TO <u>C-2</u></p>
<p><input type="checkbox"/> CONDITIONAL USE AS:</p>	
<p><input type="checkbox"/> PLANNED UNIT DEVELOPMENT:</p>	
<p><input type="checkbox"/> OTHER: _____</p>	
<p align="center">BY AUTHORITY OF ARTICLE 30 - ZONING, BALTIMORE CITY CODE</p>	

The "Notice of Introduction" sign must be posted on the property as follows:

- The sign must be posted in a conspicuous manner on the front side of the property, not over ten feet above the ground level, and where it will be clearly visible and legible to the public.
- The sign must be posted not later than one week after introduction of the bill and must remain posted for 30 days thereafter.
- The sign must be maintained in good condition the entire time it is posted. Where proposed changes are to be at the rear of the property, the sign must nevertheless be posted on the front of the premises, unless otherwise directed.

FOR DEPARTMENT OF LEGISLATIVE REFERENCE

Property Owner :

Authorized Representative:

Address:

Bill No. 7-0032 Sign Picked Up By:

SIGNATURE OF PROPERTY OWNER OR REPRESENTATIVE

Type of Change Requested by the Bill (check one):

☐ Conditional Use ☒ Rezoning ☐ Planned Unit Development

NOTE:

- Prior to the public hearing on the bill, the Certificate of Posting at the bottom of this form must be dated, signed, and returned to: Baltimore City Council Office, Executive Secretary, Room 409 City Hall, 100 N. Holliday Street, Baltimore, Maryland 21202.
- A second sign ("Notice of Hearing") will be required to be posted before the public hearing. Information about the "Notice of Hearing" sign can be obtained from the Executive Secretary of the Baltimore City Council (396-4800.)

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



**BOARD OF MUNICIPAL AND
ZONING APPEALS**

DAVID C. TANNER, Executive Director
417 E. Fayette Street, Room 1432
Baltimore, Maryland 21202

January 2, 2018

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

Re: City Council Bill No. 17-0032: Rezoning – 5717 and 5723 Harford Road

Ladies and Gentlemen:

City Council Bill No. 17-0032 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. 17-0032 is to rezone these properties from the R-4 Zoning District (Detached and Semi-Detached Residential) to the C-2 Zoning District (Community Commercial), and providing for a special effective date.

The BMZA has reviewed the legislation and defers to the expertise of the Planning Commission by recommending approval to the passage of Bill Number 17-0032.

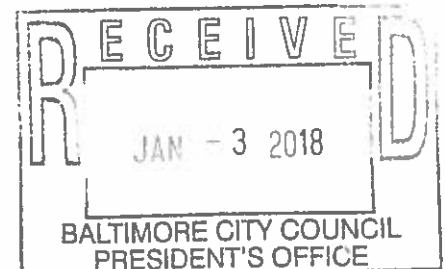
Sincerely,

David C. Tanner

David C. Tanner
Executive Director

DCT/djb

CC: Mayors Office of Council Relations
Legislative Reference



defers to

*Planning, recommends
passage*





BALTIMORE HOUSING

CATHERINE E. PUGH
Mayor

PAUL T. GRAZIANO
Executive Director, HAHC
Commissioner, HCD

MEMORANDUM

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

From: Michael Braverman, Acting Commissioner

MEB

Date: May 26, 2017

Re: City Council Bill 17-0032 - Rezoning – 5717 and 5723 Harford Road

The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0032, for the purpose of changing the zoning for the properties known as 5717 and 5723 Harford Road from the R-4 Zoning District to the C-2 Zoning District; and providing for a special effective date.

If enacted, this bill would allow the rezoning of two properties on Harford Road from R-4 to C-2 so the zoning is more consistent with the commercial corridor along Harford Road.

Currently, the two properties are split zoned (B-2-2 and R-4) and to reduce the number of split zone properties in the City the new zoning code recommended the R-4 residential zone for both properties. After additional review by the planning team it was determined that residential zoning for the two properties was not consistent with the commercial nature of the corridor.

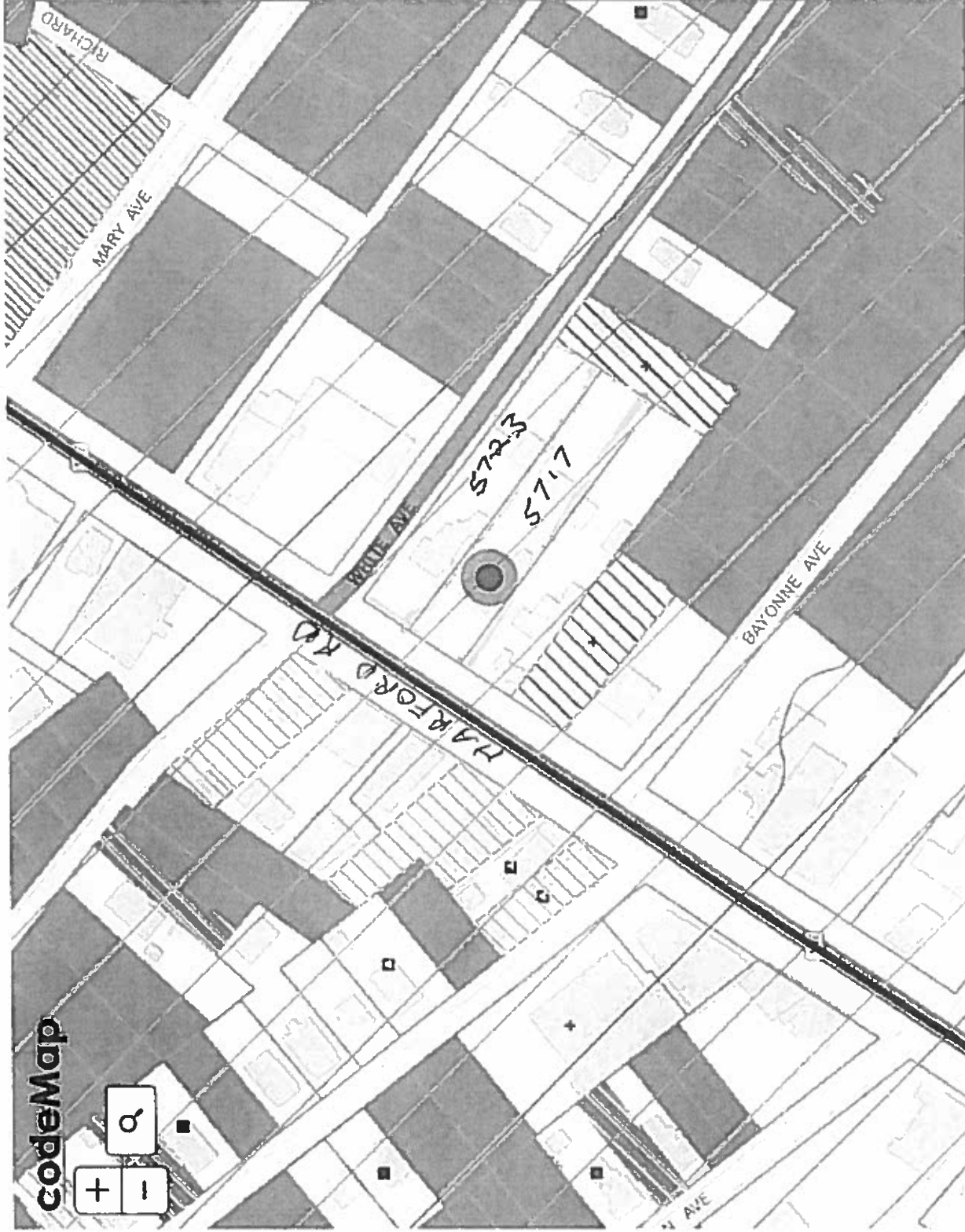
The Department of Housing and Community Development has no objection to the passage of City Council Bill 17-0032.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*


No obj





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FROM	NAME & TITLE	Frank J. Murphy, Acting Director	CITY of BALTIMORE M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 East Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0032		

TO The Honorable President and
Members of the City Council
c/o Natawna Austin
Room 400 City Hall

May 2, 2017

I am herein reporting on City Council Bill 17-0032 for the purpose of changing the zoning for the properties known as 5717 and 5723 Harford Road, from the R-4 Zoning District to the C-2 Zoning District, and providing a special effective date.

The Department of Transportation (DOT) has no objection to this bill and defers to Planning on the appropriate zoning for this parcel. When building permits are requested DOT will evaluate the projects impact on the transportation network and make recommendations to address those impacts at that time.

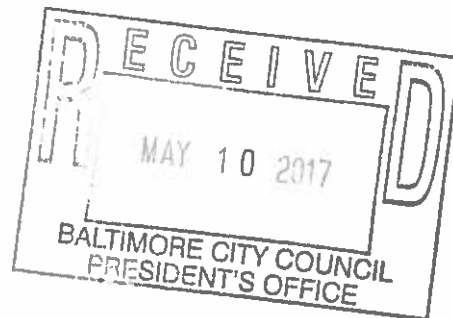
Thank you for this opportunity to comment.

Respectfully,


Frank J. Murphy
Frank J. Murphy
Acting Director

FJM/PAF

Cc: Karen Stokes, Mayor's Office
Kyron Banks, Mayor's Office



*No
obj*

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #17-0032 / REZONING 5717 & 5723 HARFORD ROAD		

DATE:

TO

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

April 19, 2017

At its regular meeting of April 13, 2017, the Planning Commission considered City Council Bill #17-0032, for the purpose of changing the zoning for the properties known as 5717 & 5723 Harford Road, from the R-4 Zoning District to the C-2 Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #17-0032 and adopted the following resolution eight members being present (eight in favor).

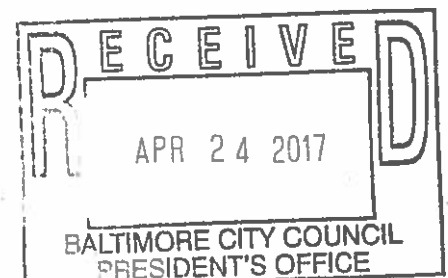
RESOLVED, That the Planning Commission did not concur with the recommendation of its departmental staff for an alternate designation, and recommends that City Council Bill #17-0032 be passed by the City Council as written.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Mr. Pete Hammen, Chief Operating Officer
Mr. Jim Smith, Chief of Strategic Alliances
Ms. Karen Stokes, Mayor's Office
Mr. Colin Tarbert, Mayor's Office
Mr. Kyrion Banks, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Mr. Patrick Fleming, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Natawna Austin, Council Services
Mr. Francis Burnszynski, PABC
Ms. Caroline Hecker, Attorney for Applicant





Catherine E. Pugh
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

April 13, 2017

REQUEST: City Council Bill #17-0032/ Rezoning – 5717 and 5723 Harford Road:

For the purpose of changing the zoning for the properties known as 5717 and 5723 Harford Road, as outlined in red on the accompanying plat, from the R-4 Zoning District to the C-2 Zoning District; and providing for a special effective date.

RECOMMENDATION: Amend and Approve

STAFF: Eric Tiso

PETITIONER: Property Consulting, Inc., c/o Caroline L. Hecker, Esq.

OWNERS: Linda Chatfield and Ralph Murray

SITE/GENERAL AREA

Site Conditions: 5717 and 5723 Harford Road are located on the southern corner of the intersection with White Avenue. 5717 Harford Road measures approximately 324'3 1/2" in depth, by 54'11 3/4" in width. 5723 Harford Road measures approximately 324'3 1/4" in depth, by 59'11 3/4" in width. Both lots are currently improved with single-family detached homes. These lots are split-zoned, with B-2-2 commercial zoning in the front, to include the homes, and are R-4 residentially zoned in the rear, to include detached garages.

General Area: These properties are located on the western edge of the Glenham-Belhar neighborhood, with the Hamilton Hills neighborhood located to the west across Harford Road. The Glenham-Belhar neighborhood is principally residential in nature, mostly consisting of single-family detached homes, aside from the commercial corridor of Harford Road.

HISTORY

- These properties are to be zoned R-4 residential by TransForm Baltimore, in the comprehensive rezoning of the City, scheduled to become effective on June 5, 2017.

ANALYSIS

Background: Prior to TransForm Baltimore these properties were split zoned with B-2-2 for the first approximately 150' and R-4 for the remainder of the property. One of the goals of the new code was to reduce the number of split zone properties where possible.

When TransForm Baltimore was initially proposed, these properties were recommended for R-3 residential zoning over their entirety by Planning, as they were being used residentially, and that designation more closely matched the existing residential density of the homes to the southeast, off of Harford Road. As part of the public reviews and hearings on the bill, the recommended

zoning was changed to R-4 residential by the then-Councilman for the district, which would allow for a slight increase in residential density potential, but that R-4 zoning was designated for these two properties in isolation, between the C-2 Harford Road corridor and the R-3 neighborhood.

Below is the staff's review of the required considerations of §16-305 of the Zoning Code, and our finding that the proposed change from R-4 to C-2 for these properties is not in the public's interest, given the considerations of §16-305(c) in the Zoning Code:

- (c) The Board and the Planning Commission must also consider the following matters:
- (1) existing uses of property within the general area of the property in question;
 - (2) the zoning classification of other property within the general area of the property in question;
 - (3) the suitability of the property in question for the uses permitted under its existing zoning classification; and
 - (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.

Upon reviewing these properties and the context staff believes recommending the entire properties having residential zoning was a mistake and is inconsistent with the commercial corridor. Staff believes that maintaining the commercial zoning along the Harford Road is more consistent with overall community, but we have concerns about the commercial zoning going the entire depth of the property. Entirely commercial zoning would increase the impacts of commercial use from the Harford Road corridor on residentially zoned property on the intersecting streets immediately adjacent to the commercial corridor. While the existing use of the properties has been for two single-family dwelling units, given the nature of the commercial corridor we believe the R-4 district does not provide the appropriate density or range of uses on the corridor portion of the properties.

R-4 zoning will allow for about seven dwelling units on the combined property in a redevelopment project, where the requested C-2 district would permit a maximum of 165 dwelling units. The maximum heights permitted in the R-4 would be 35', versus a building of up to 60' in height by right in C-2, with the potential for 100' in height approvable by conditional use. For these reasons, the requested change in zoning is significant in its potential to negatively affect the adjacent neighborhood.

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 Ann. 2012, §10-305). In reviewing this request, the staff finds that:

1. **The Plan:** The potential zoning for these properties was debated as part of the comprehensive rezoning of the City, and was perhaps influenced by a prior owner, who had a specific development concept in mind. Stepping back and looking at these

properties and their surrounding context shows that the requested C-2 will be a step too far.

2. **The needs of Baltimore City:** A major concept behind zoning is to encourage commercial uses to gather in nodes and districts suitable for their use. Harford Road is just such a commercial corridor, but it threads through residential neighborhoods that seek stability.
3. **The needs of the particular neighborhood:** These lots are located along a commercial corridor, though they have not had a history of intense commercial use. At the same time, these properties are adjacent to a residential neighborhood that requires consideration for the potential impacts intense commercial zoning may bring.

Similarly, the Land Use article requires the City Council to make findings of fact (*cf.* Md. LAND USE Code Ann. 2012, §10-304). The findings of fact include:

1. **Population changes;** Population for the Census tract containing these properties have increased since the 2010 Census.
2. **The availability of public facilities;** This area is presently served by City services, and will not be negatively impacted by future development.
3. **Present and future transportation patterns;** This project is located along one of northeast Baltimore's major radial roadways, and is capable of carrying significant levels of traffic. Proposed rezoning and redevelopment of these lots should not negatively impact the transportation patterns of the area.
4. **Compatibility with existing and proposed development for the area;** As mentioned above, this property is deeper than many along the Harford Road corridor. Existing zoning had these as split-zoned B-2-2 and R-4 in recognition of the balancing act required to both provide a commercial corridor, while minimizing impacts to adjacent neighborhoods. For this reason, the proposed rezoning to C-2 will be a significant impact to those neighborhoods, and an alternate designation should be considered.
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 an alternate zoning for these properties, with C-2 along Harford Road, and R-3 residential in the rears of the properties, as the lots are now currently split between zoning districts to the Planning Commission. The BMZA has not yet commented on this bill, and will do so separately.
6. **The relation of the proposed amendment to the City's plan.** Staff believes that the alternate zoning categories of C-2 and R-3 will better provide the required balance between strengthening the commercial district along Harford Road, and protecting the character of the adjacent residential neighborhood.

The City Council may grant the amendment to change the zoning classification based on a finding that there was: (i) a substantial change in the character of the neighborhood where the property is located; or (ii) a mistake in the existing zoning classification. Staff believes that

changing the proposed zoning for this property to entirely R-4 in isolation was a mistake, in that it did not serve the interests of the commercial corridor, nor did it provide the potential for development that would be completely compatible with the existing residential neighborhood. Likewise, the proposed rezoning to C-2 in its entirety would create negative impacts on the existing residential neighborhood due to the long depth of these properties, and that it would be equally a mistake. For these reasons, staff believes that a better designation is to maintain the historic split zoning for the property, with C-2 matching the commercial zoning along Harford Road, and R-3 to match the residential zoning for the block behind them.

Notification: The Glenham-Belhar Community Association, the Hamilton Hills Neighborhood Association, the HARBEL Community Organization, and the Hamilton Lauraville Main Street have been notified of this action.

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is fluid and cursive, with a large initial "T" and a stylized "S" for "Stosur".

Thomas J. Stosur
Director



Baltimore

Development Corporation

MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna Austin, Executive Secretary

FROM: William H. Cole, President and CEO *W. Cole*

DATE: March 15, 2017

SUBJECT: City Council Bill No. 17-0032
Rezoning – 5717 and 5723 Harford Road

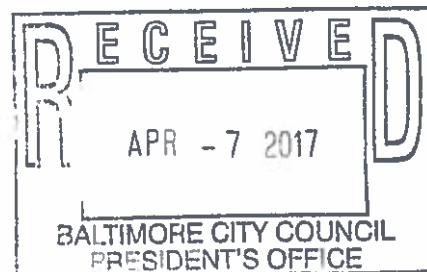
The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill 17-0032, which seeks to rezone 5717 and 5723 Harford Road from the R-4 Zoning District to the C-2 Zoning District.

The proposed improvement of these properties will provide a mixed-use development which will help to continue the community revitalization efforts along Harford Road adding commercial space and additional residential units.

The BDC supports this resolution and respectfully requests that favorable consideration be given by the City Council for Bill No. 17-0032.

cc: Kyron Banks, Mayor's Office
Colin Tarbert, Mayor's Office

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**CITY OF BALTIMORE
COUNCIL BILL 17-0032
(First Reader)**

Introduced by: Councilmembers Dorsey, Cohen

At the request of: Property Consulting, Inc.

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg LLP, 25 South
Charles Street, 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: March 6, 2017

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rezoning – 5717 and 5723 Harford Road**

3 FOR the purpose of changing the zoning for the properties known as 5717 and 5723 Harford
4 Road, as outlined in red on the accompanying plat, from the R-4 Zoning District to the C-2
5 Zoning District; and providing for a special effective date.

6 BY amending

7 Article - Zoning

8 Zoning Map

9 Sheet(s) 18 and 19

10 Baltimore City Revised Code

11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
13 Sheets 18 and 19 of the Zoning District Map are amended by changing from the R-4 Zoning
14 District to the C-2 Zoning District the properties known as 5717 and 5723 Harford Road, 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.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 17-0032

1 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on (i) the date
2 on which Ordinance 16-581 becomes effective or (ii) if later, the date on which this Ordinance is
3 enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____

APPROVED FOR FORM STYLE, AND TEXTUAL SUFFICIENCY
2-24-17
DEPT LEGISLATIVE REFERENCE

Introduced by: Councilmember Dorsey
At the request of: Property Consulting, Inc.
Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg LLP, 25 South
Charles Street, 21st Floor, Baltimore, Maryland 21201
Telephone: 410-727-6600

A BILL ENTITLED

AN ORDINANCE concerning

Rezoning – 5717 and 5723 Harford Road

FOR the purpose of changing the zoning for the properties known as 5717 and 5723 Harford Road, as outlined in red on the accompanying plat, from the R-4 Zoning District to the C-2 Zoning District; and providing for a special effective date.

BY amending

Article - Zoning
Zoning Map
Sheet(s) 18 and 19
Baltimore City Revised Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Sheets 18 and 19 of the Zoning District Map are amended by changing from the R-4 Zoning District to the C-2 Zoning District the properties known as 5717 and 5723 Harford Road, as outlined in red on the plat accompanying this Ordinance.

SECTION 2. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on (i) the date on which Ordinance 16-581 becomes effective or (ii) if later, the date on which this Ordinance is enacted.

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

**STATEMENT OF INTENT
FOR**

Rezoning – 5717 & 5723 Harford Road

1. Applicant's name, address and telephone number: Property Consulting, Inc. c/o Caroline L. Hecker, Rosenberg Martin Greenberg, LLP, 25 S. Charles Street, 21st Floor, (410) 727-6600
2. All proposed changes for the property: Rezone 5717 & 5723 Harford Road from the R-4 Zoning District to the C-2 Zoning District under Transform Baltimore (Article 32 – Zoning).
3. All intended use of the property: Construction of a mixed-use development, consisting of commercial and residential uses.
4. Current owner's name, address, and telephone number:

<u>Address</u>	<u>Property Owner</u>	<u>Deed Reference</u>
5717 Harford Road	Chatfield, Linda J (TR) Murray, Ralph (TR)	11451/855
5723 Harford Road	Chatfield, Linda J (TR) Murray, Ralph J (TR)	11451/385

5. The property was acquired by the current owner by deed recorded in the Land Records of Baltimore City in Liber ____ folio _____. [Please see above.]

6. (a) There is ___ is not X 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 on the contract are {use additional sheet if necessary}:

N/A


- (ii) The purpose, nature and effect of the contract are: N/A

7. (a) The applicant is ___ is not X 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 stockholders of any corporation, are {use additional sheet if necessary}: N/A

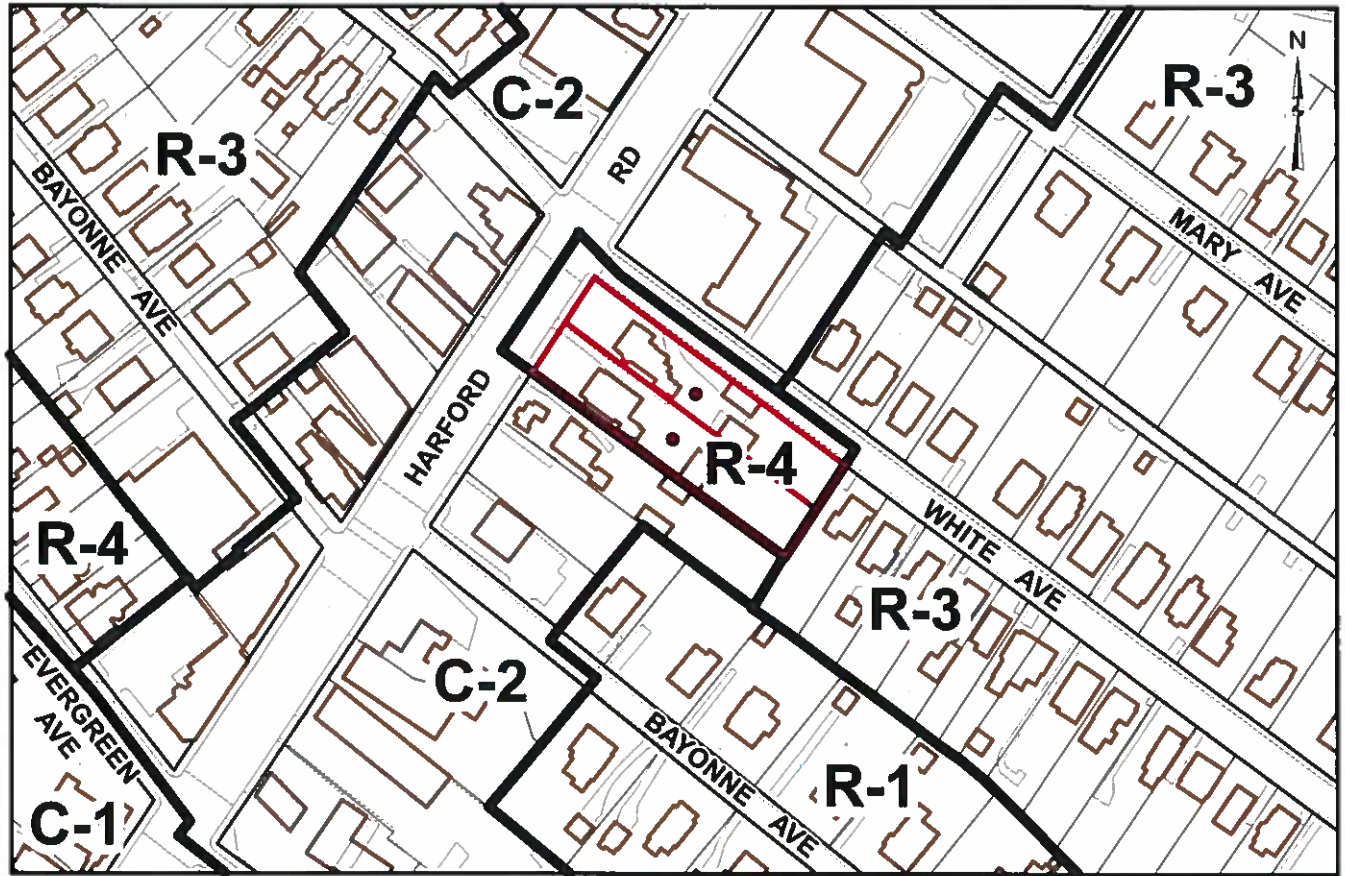
AFFIDAVIT

I, Caroline L. Hecker, 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.

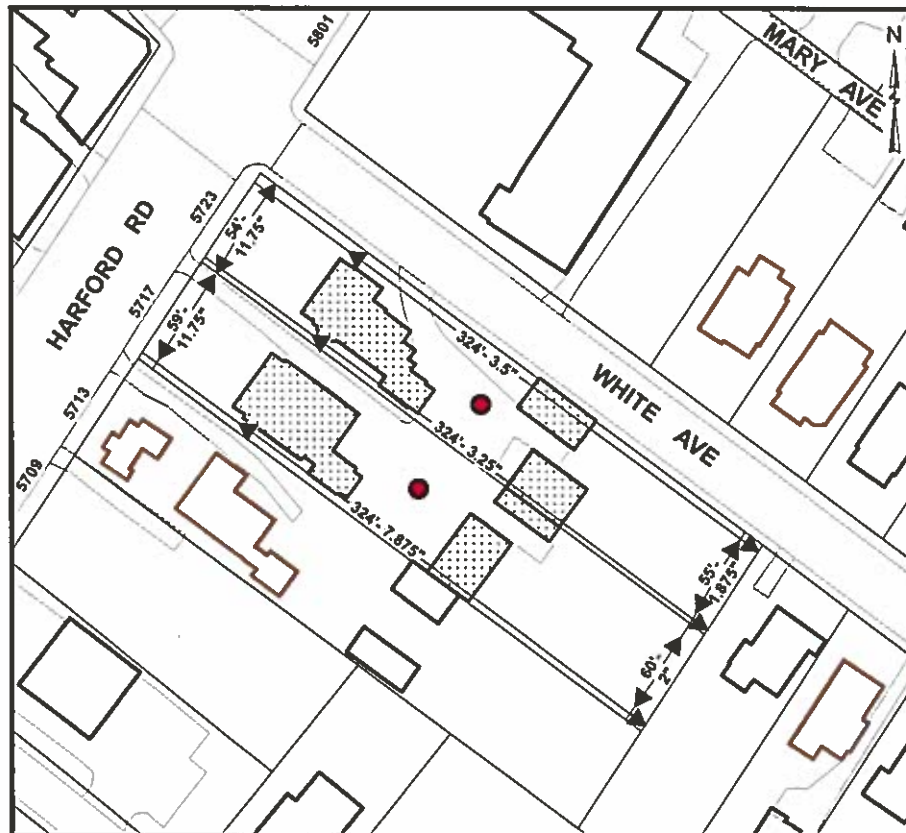
By 
Caroline L. Hecker, Authorized Agent

2/23/17
Date

**SHEET NO. 18 & 19 OF THE ZONING DISTRICT MAP OF
THE BALTIMORE CITY ZONING CODE**



Scale: 1" = 200'



Scale: 1" = 100'

Note:

In Connection With Properties Known As No. 5717 HARFORD ROAD And 5723 HARFORD ROAD. The Applicant Wishes To Request The Rezoning Of The Aforementioned Properties From R-4 Zoning to C-2 Zoning, As Outlined In Red Above.

WARD 27

SECTION 3

BLOCK 5765

LOTS 1 & 2

MAYOR

PRESIDENT CITY COUNCIL

Q15 2 44

ACTION BY THE CITY COUNCIL

MAR 06 2017

FIRST READING (INTRODUCTION) _____ **20** _____

PUBLIC HEARING HELD ON _____ **20** _____

COMMITTEE REPORT AS OF _____ **20** _____

_____ **FAVORABLE** _____ **UNFAVORABLE** _____ **FAVORABLE AS AMENDED** _____ **WITHOUT RECOMMENDATION**

Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for
Third Reading on:

_____ **20** _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ **20** _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ **20** _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ **20** _____

WITHDRAWAL _____ **20** _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn
from the files of the City Council.

President

Chief Clerk