

**Introduced by:** Councilmember Sneed

**At the request of:** STT, Inc.

Address: c/o Melvin J. Kodenski, Esquire, 320 North Charles Street, Baltimore, Maryland  
21201

Telephone: 410-685-5100

**Prepared by:** Department of Legislative Reference

**Date:** December 18, 2018

**Referred to:** LAND USE AND TRANSPORTATION Committee

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

CITY COUNCIL 19 - 0322

A BILL ENTITLED

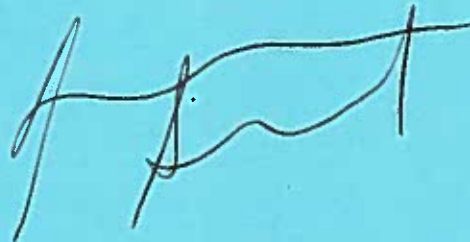
AN ORDINANCE concerning

**Rezoning – 1818 East Pratt Street**

FOR the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

BY amending

Article 32 - Zoning  
Zoning District Map  
Sheet 57  
Baltimore City Revised Code  
(Edition 2000)

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke, positioned to the right of the text describing the amendment.

**\*\*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

Baltimore City Public School System

**Baltimore Development Corporation**

City Solicitor

Comptroller's Office

Department of Audits

Department of Finance

Department of General Services

Department of Housing and Community Development

Department of Human Resources

Department of Planning

Others:

**Other:**

Other:

Department of Public Works

Department of Real Estate

Department of Recreation and Parks

Department of Transportation

**Fire Department**

Health Department

## Mayor's Office of Employment Development

**Mayor's Office of Human Services**

Mayor's Office of Information Technology

Office of the Mayor

Police Department

Others:

Other:

## Boards and Commissions

Board of Estimates

Board of Ethics

**Board of Municipal and Zoning Appeals**

Comm. for Historical and Architectural Preservation

## Commission on Sustainability

## Employees' Retirement System

Others:

Other:

Other:

Environmental Control Board

## Fire & Police Employees' Retirement System

Labor Commissioner

**Parking Authority Board**

## Planning Commission

## Wage Commission

Other:

၁၁၃၃)

1041



**CITY OF BALTIMORE**  
**ORDINANCE 19.291**  
**Council Bill 19-0322**

Introduced by: Councilmember Sneed

At the request of: STT, Inc.

Address: c/o Melvin J. Kodenski, Esquire, 320 North Charles Street, Baltimore, Maryland  
21201

Telephone: 410-685-5100

Introduced and read first time: January 14, 2019

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable

Council action: Adopted

Read second time: June 17, 2019

**AN ORDINANCE CONCERNING**

**Rezoning – 1818 East Pratt Street**

FOR the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

BY amending

Article 32- Zoning

Zoning District Map

Sheet 57

Baltimore City Revised Code

(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That Sheet 57 of the Zoning District Map is amended by changing from the R-8 Zoning District to the C-1 Zoning District the property known as 1818 East Pratt Street (Block 1745, Lot 026), 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;

Explanation: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by amendment  
or deleted from existing law by amendment.


**Council Bill 19-0322**

1 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the  
2 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of  
3 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and  
4 the Zoning Administrator.

5 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
6 after the date it is enacted.

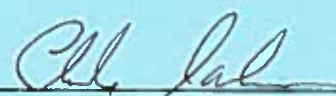
Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

JUN 24 2019

  
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to his Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

JUN 24 2019

  
\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

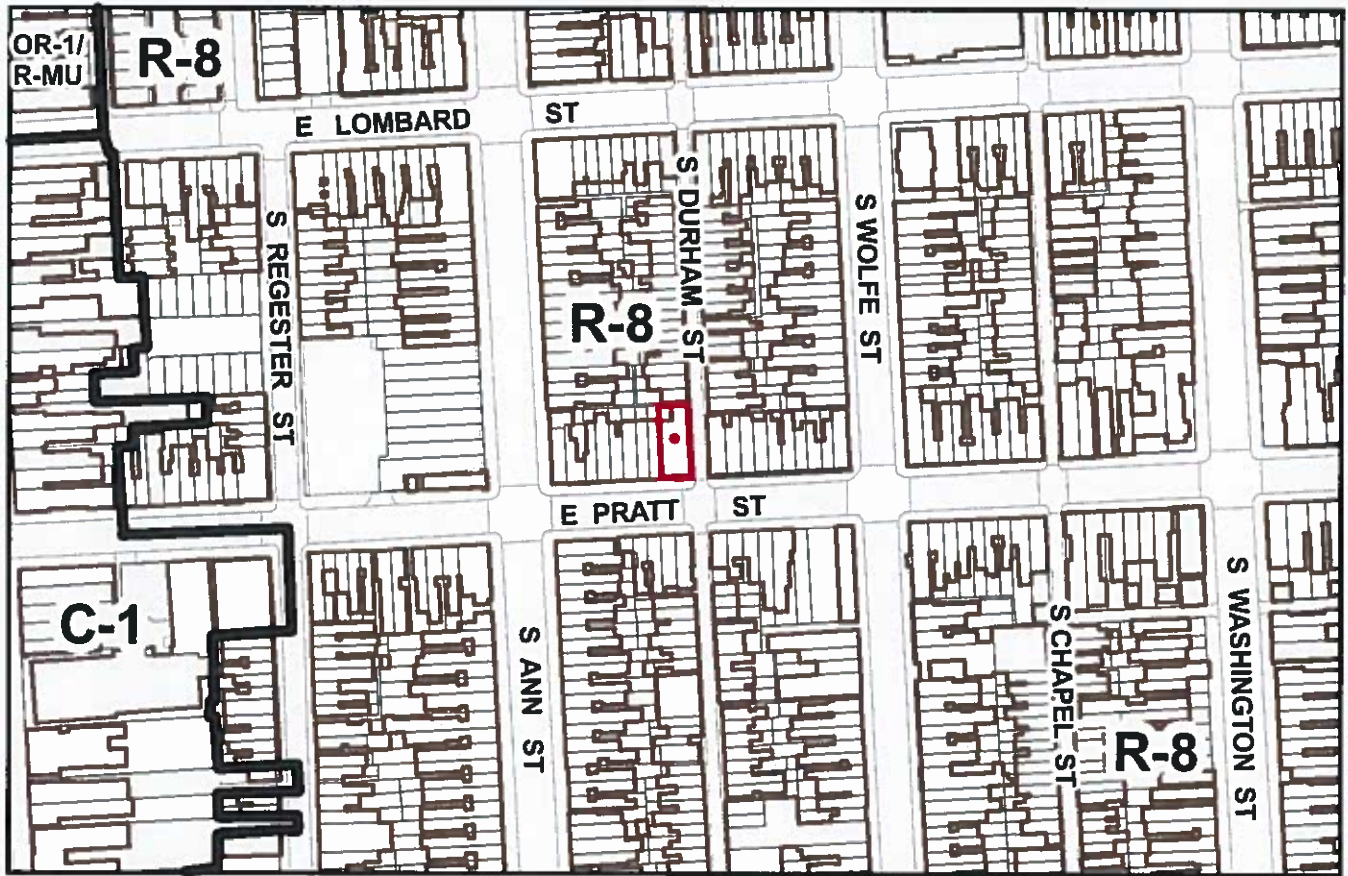
\_\_\_\_\_  
Mayor, Baltimore City

*NOT approved for  
Form + Legal Sufficiency.  
Elena DiPietro 8/13/19*

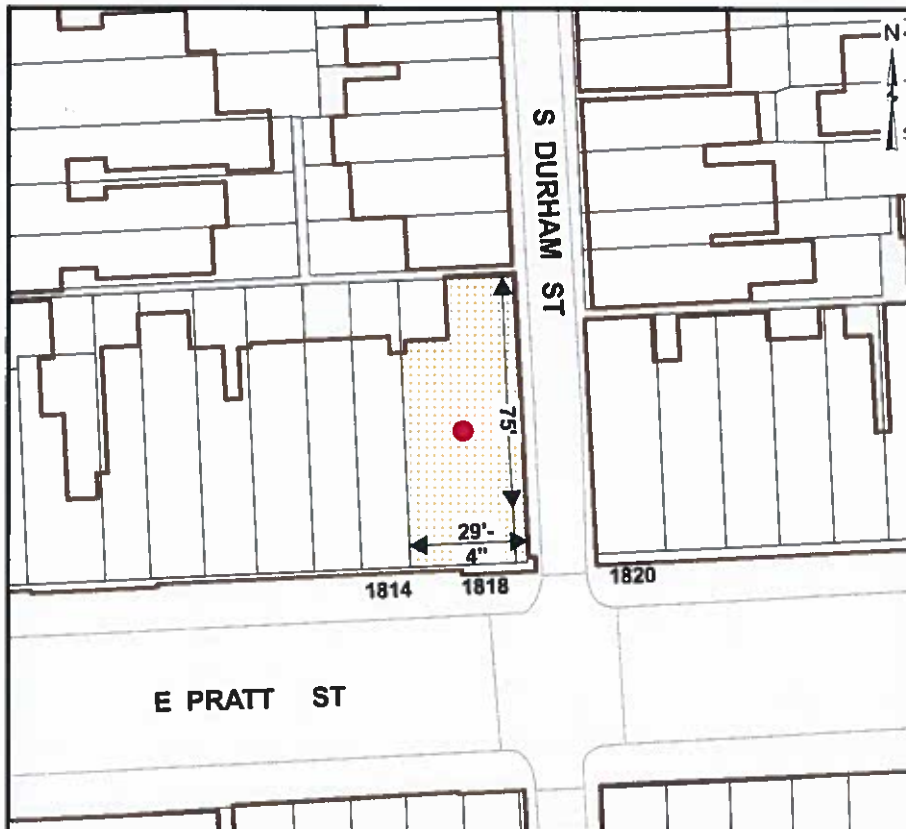
**"Pursuant to City Charter Article IV, Section 5(c),  
this bill became law on September 9, 2019  
without the Mayor's Signature."** *WAF*



**SHEET NO. 57 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 1818 EAST PRATT STREET. The Applicant Wishes To Request The Rezoning Of The Aforementioned Property From R-8 Zoning to C-1 Zoning, As Outlined In Red Above.

WARD 2

SECTION 2

BLOCK 1745

LOT 26

\_\_\_\_\_

MAYOR

\_\_\_\_\_

PRESIDENT CITY COUNCIL



# **LAND USE AND TRANSPORTATION COMMITTEE**

## **FINDINGS OF FACT**

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO SECTIONS 10-304 AND 10-305 OF THE MARYLAND LAND USE ARTICLE AND SECTION 5-508 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING THE REZONING OF:

### **CITY COUNCIL BILL NO: 19-0322**

#### **REZONING – 1818 EAST PRATT STREET**

Upon finding as follows with regard to:

(1) Population changes;

In the general area, there has been an influx of younger people moving into the area as elderly people move out. The influx has resulted in the need of a store for convenience purposes, which has existed for quite some time and the area would benefit by the continued use with regard to this particular request.

(2) The availability of public facilities;

The area is well-served by public utilities and services, and will remain so for the foreseeable future.

(3) Present and future transportation patterns;

Present and future transportation patterns in the area would not be affected at all by this legislation.

The Department of Transportation has no objection to City Council Bill 19-0322.

(4) Compatibility with existing and proposed development for the area;

The present use is compatible with the area, having been in existence for a long period of time, over many, many years, which was originally a commercial area.

According to the Department of Planning's staff report, the structure(s) on the property has been used as follows:





- according to a 1931 Police Survey, property at 1816 East Pratt Street was in use as a multi-family dwelling containing three dwelling units;
- in 1942, 1816 East Pratt Street was used as a liquor store, and received a Certificate of Occupancy for a tavern on February 10, 1958;
- 1818 East Pratt Street was given a Certificate of Occupancy for a tavern and one dwelling unit on September 9, 1960;
- the property's commercial use became nonconforming in 1971 and has continued to be nonconforming for over 47 years;
- on September 26, 1995, a new Certificate of Occupancy for a tavern with accessory package goods liquor store was issued due to a change of operator;
- consolidation of 1816 and 1818 East Pratt Street occurred in 1998;
- on April 28, 1998, the Board of Municipal and Zoning Appeals approved Appeal No. 133-98X for a carry-out food shop "in conjunction with cut-rate liquor" [store] for the premises just consolidated. This use was renewed on September 8, 2009 for the consolidated property.

(5) The recommendations of the City agencies and officials, including the Baltimore City Planning Commission and the Board of Municipal and Zoning Appeals;

- By Memoranda dated March 8, 2019, the Planning Commission made a favorable recommendation on this bill. In its consideration of this bill, the Planning Commission reviewed the attached [Department of Planning's] staff report which recommended disapproval of City Council Bill #19-0322 and adopted the following resolution; eight members being present (six in favor, one opposed, and one abstention):

RESOLVED, That the Planning Commission does not concur with the recommendations of its Departmental staff, and instead finds that there was a mistake in assigning this property R-8 zoning at the time of the Comprehensive Rezoning of the City in 2017, where the Mayor and City Council did not at that time take notice of the existing commercial use of this property, and that this business had been in continuous operation for an extensive period of time. Therefore, the Commission recommends that City Council Bill #19-0322 be passed by the City Council.

- By Memoranda dated April 17, 2019, the Law Department cannot find that the bill is legally sufficient.

The City Council can only permit this rezoning if it finds facts sufficient to show either a mistake in the existing zoning classification or a substantial change in the character of the neighborhood. Md. Code, Land Use, §10-304 (b)(2); City Code, Art. 32 §§5-508(a),(b)(1). There would appear to be no basis to believe that the neighborhood could have substantially changed between the comprehensive rezoning of the property on June 5, 2017 and



today's date. Therefore, to legally rezone the property under current law, the City Council must identify a "mistake" that lead to the inappropriate zoning of the property as R-8 only a short time ago. Md. Code, Land Use §10-304(b)(2); City Code, Art. 32, §§ 5-508(a), (b)(1).

- By oral testimony on May 8, 2019, Mr. Derek Baumgardner, representing the Board of Municipal Zoning Appeals (BMZA), testified that the BMZA opposes the bill.
- By Memoranda dated February 1, 2019, the Department of Transportation has no objection to City Council Bill 19-0322.
- By Memoranda dated May 6, 2019, the Baltimore City Department of Housing and Community Development has reviewed City Council Bill 19-0322 and does not support the passage of the bill.
- By Memoranda dated May 7, 2019, Baltimore Development Corporation opposes City Council Bill No. 19-0322.

(6) The proposed amendment's relationship to and consistency with the City's Comprehensive Master Plan.

The proposed rezoning would conform to Transform Baltimore (the master plan) in that it would be a neighborhood business use.

According to a letter from the Upper Fell's Point Improvement Association (UFPIA), the UFPIA considers the establishment operating at 1818 East Pratt Street to be a valuable neighborhood amenity. Michael Egbay, the licensee of the business, has signed a Memorandum of Understanding (MOU) with the UFPIA to indicate his willingness to operate his establishment with full consideration of the surrounding community's concerns. In addition to signing the MOU, Mr. Egbay has agreed to accept packages on behalf of community members who are unable to be home when they are delivered. The bill helps retain a neighborhood business, while the MOU agreement helps to create a safe neighborhood.

(7) Existing uses of property within the general area of the property in question;

The property is in the Upper Fells Point National Register Historic District, a mid-to late-19th Century area in which single-family attached houses, shop houses on some blocks of major streets, and residential mixed-use structures predominate. There are also scattered institutional and commercial structures.

(8) The zoning classification of other property within the general area of the property in question;





According to the Department of Planning, the property is a part of an extensive residential area extending from behind the commercial uses on Broadway, three blocks west of it, to Highlandown a mile away on the east, and to the Johns Hopkins Hospital and Medical Institutions urban campus four blocks north of it. This zoning is reflective of the historic residential nature of this area.

All other parts of the block of dwelling structures to which this end-of-row structure is attached are used residentially. Properties both north, south, west and east of this property are used residentially. Properties three blocks distant (west of this property, on Broadway) are predominantly non-residential in use, which is reflected in their C-1 zoning that became effective June 5, 2017.

- (9) The suitability of the property in question for the uses permitted under its existing zoning classification;

The property is not suited for the uses permitted under its existing R-8 zoning, which would require the existing package goods store to terminate its operations by June 5, 2019 under Title 18, Subtitle 7 of the Baltimore City Zoning Code. However, the fact that a package goods store has been located here since 1942 indicates that this use is compatible with the surrounding area.

- (10) 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 classification;

The existing commercial use has been a successful and compatible neighbor in this largely residential area, and the influx of new residents increases demand for commercial uses. Moreover, the property's prior nonconforming status under the old Zoning Code should have led to a reevaluation under Transform Baltimore, and the fact that the property retained its residential zoning designation indicates that it was overlooked in that process.

- (11) For a rezoning based on a SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD, the following facts establish the substantial change since the time of the last comprehensive rezoning:
- (12) For a rezoning based on a MISTAKE in the existing zoning classification, the following facts establish that at the time of the last comprehensive zoning the Council failed to consider then existing facts, or projects or trends which were reasonably foreseeable and/or that events occurring subsequent to the comprehensive zoning have proven that the Council's initial premises were incorrect:



The Planning Commission pointed out in the Planning Hearing, there was a mistake in the change of the zoning as this use had been there for many, many years and it was a mistake to change the zoning back to 'residential' when the commercial neighborhood use would be appropriate to take care of the neighborhood and the surrounding neighbors.

The City Council did not take notice of the existing commercial use of the property at the time of the Transform Baltimore Comprehensive Rezoning, rendering the continuation of the residential zoning a mistake.

The prior City Council was mistaken about certain facts used in its consideration to rezone the property.

The proposed rezoning is not for the sole benefit of the applicant, but is for the benefit of the entire area as witnessed by approval from the community group which is in favor of this change and the rezoning would serve the broader public interest in the area.

SOURCE OF FINDINGS (Check all that apply):

- ☒ [ X ] Planning Report - Mr. Chris Ryer, Director, Department of Planning – Memoranda – Dated March 8, 2019
- ☒ [ X ] Testimony presented at the Committee hearing

Oral – Witness Name:

- Councilmember Shannon Sneed, District 13, Baltimore City Council
- Mr. Martin French, staff, Baltimore City Department of Planning
- Ms. Hilary Ruley, staff, Baltimore City Law Department
- Mr. Liam Davis, Baltimore City Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Ms. Sharon DaBoin, Department of Housing and Community Development
- Mr. Mica Fetz, Baltimore Development Corporation
- Mr. Melvin Kodenski, Esquire, representative for the applicant
- Mr. Kurt Schiller, President, Upper Fells Point Improvement Association
- Mr. Micahel Eaqbay, applicant

Written:

- Mr. Melvin Kodenski, Esquire, Email – Dated May 17, 2019
- Mr. Chris Ryer, Director, Department of Planning – Memorandum – Dated April 18, 2019





- Mr. Andre M. Davis, City Solicitor, Memorandum – Dated April 17, 2019
- Mr. Michael Braverman, Housing Commissioner, Memoranda – Dated May 16 2019
- Mr. William H. Cole, President and CEO, Memorandum – Dated May 71 2019
- Ms. Michelle Pourciau, Department of Transportation, Memoranda – Dated February 1, 2019
- Mr. Kurt W. Schiller, President, Upper Fells Point Improvement Association

**LAND USE AND TRANSPORTATION COMMITTEE:**

  
Chairman

  
Member

  
Member

  
Member

Member

Member

Member

Member



**BALTIMORE CITY COURT  
LAND USE AND TRANSPORTATION  
VOTING RECORD**

DATE: June 12, 2019

BILL#: 19-0322

BILL TITLE: Rezoning - 1818 East Pratt Street

MOTION BY: Pinkett SECONDED BY: Costello

☒ FAVORABLE

☐ FAVORABLE WITH AMENDMENTS

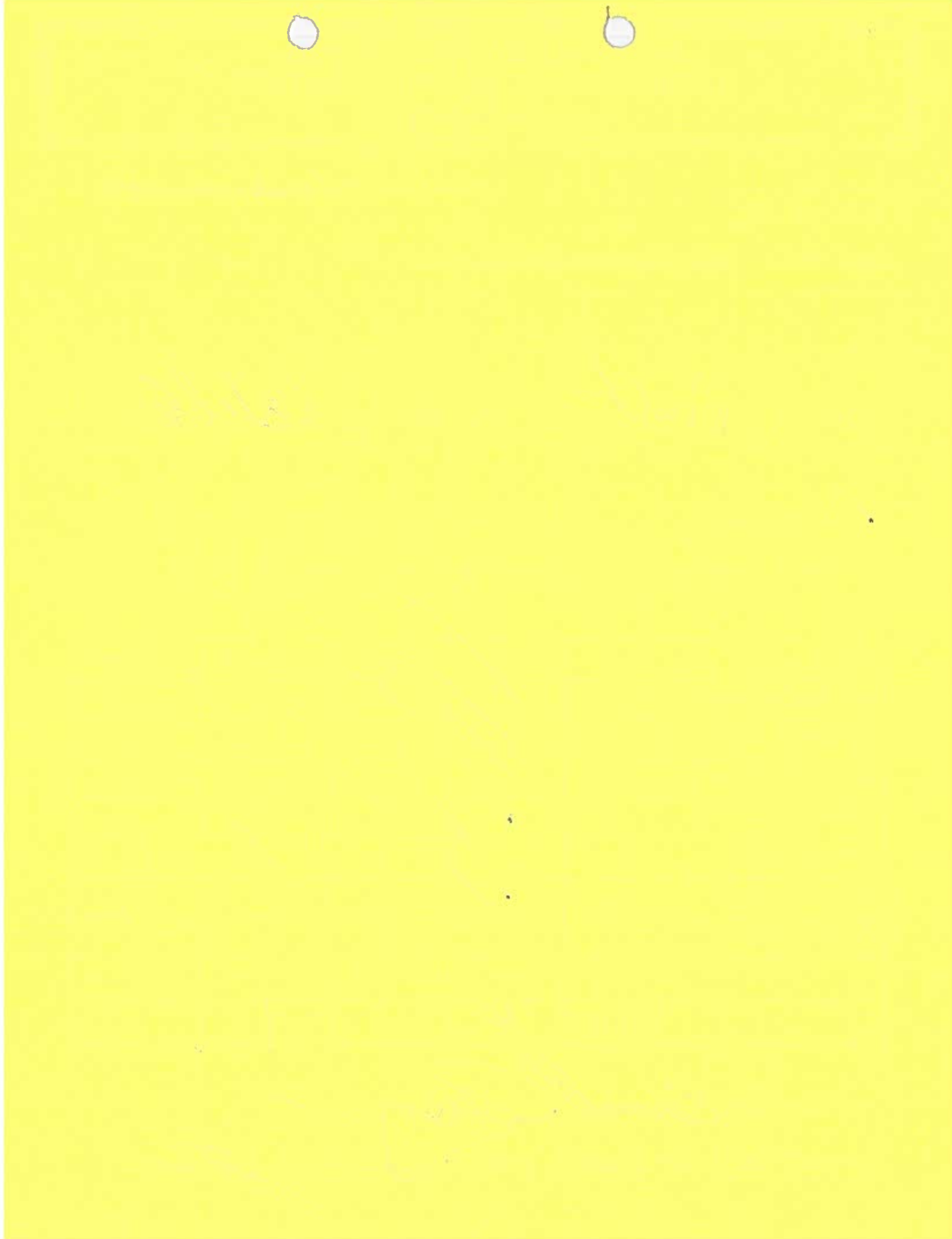
☐ UNFAVORABLE

☐ WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>6</u>		<u>1</u>	

CHAIRPERSON: Edward H. Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC





**The Daily Record**

11 East Saratoga Street  
 Baltimore, MD 21202-2199  
 (443) 524-8100

<http://www.thedailyrecord.com>

Order #: 11736997

Case #:

Description:

PUBLIC HEARING ON BILL NO 19-0322

**PUBLISHER'S AFFIDAVIT**

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

5/3/2019



**Darlene Miller, Public Notice Coordinator**  
 (Representative Signature)

**BALTIMORE CITY COUNCIL****PUBLIC HEARING ON BILL NO 19-0322**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, May 22, 2019 at 1:00 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. 19-0322.

**CC 19-0322 ORDINANCE - Rezoning - 1818 East Pratt Street**

FOR the purpose of changing the zoning for 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

By amending

Article 32 - Zoning

Zoning District Map

Sheet 57

Baltimore City Revised Code

(Edition 2000)

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

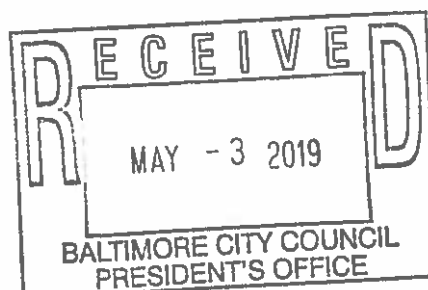
Applicant: STT, Inc.

For more information, contact committee staff at (410) 396-1260.

**EDWARD REISINGER**

Chair

my3





CCB-19-0322

RICHARD HOFFMAN <dick\_e@comcast.net>

Thu 5/16/2019 10:37 AM

To: Natawna B. Austin <NatawnaB.Austin@baltimorecity.gov>

Cc: Kodenski, Melvin <melvinjkodenski@hotmail.com>

📎 1 attachments (636 KB)

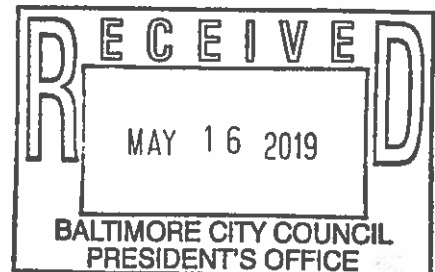
CCB 19-0322-1818 E. Pratt St..docx;

Hi again Natawna,

Sorry, the first email only attached the photo. Attached to this email is the certification.  
Sorry for any confusion.

Thanks,

dickh





**BALTIMORE CITY COUNCIL**

**PUBLIC HEARING ON BILL NO. 19-0322**

THE LAND USE AND TRANSPORTATION COMMITTEE OF THE BALTIMORE CITY COUNCIL WILL MEET ON WED. MAY 22, 2019 AT 1:00 PM. IN THE CITY COUNCIL CHAMBERS, 4<sup>TH</sup> FLOOR, CITY HALL, 100 N. HOLIDAY STREET TO CONDUCT A PUBLIC HEARING ON CITY COUNCIL BILL NO. 19-0322.

CC 19-0322 ORDINANCE-REZONING-1818 EAST PRATT STREET FOR THE PURPOSE OF CHANGING THE ZONING FOR 1818 EAST PRATT STREET (BLOCK 1745, LOT 026) AS OUTLINED IN RED ON THE ACCOMPANYING PLAN, FROM THE R-8 ZONING DISTRICT TO THE C-1 ZONING DISTRICT.

BY AMENDING ARTICLE 32-ZONING, ZONING DISTRICT MAP 57

BALTIMORE CITY REVISED CODE (EDITION 2000)

NOTE: THIS BILL IS SUBJECT TO AMENDMENT BY THE BALTIMORE CITY COUNCIL.

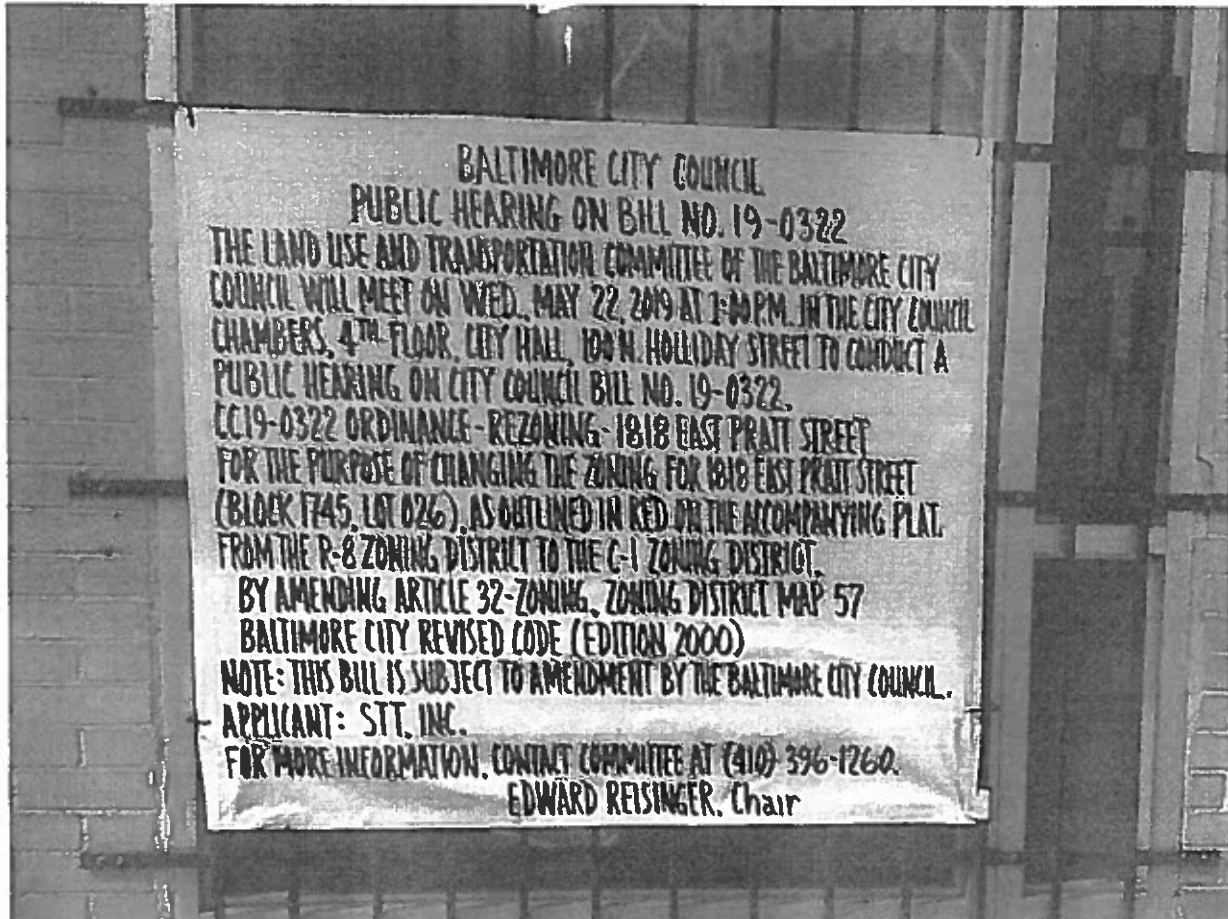
APPLICANT: SIT, INC.

FOR MORE INFORMATION, CONTACT COMMITTEE AT (410) 396-1260.

EDWARD REISINGER, Chair



**Baltimore City Council**  
**Certificate of Posting - Public Hearing Notice**  
**City Council Bill No.: 19-0322**  
**5/15/2019**



Address: 1818 E. Pratt Street

Date Posted: April 22, 2019

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**Name: Mr. Melvin J. Kodenski, Esquire**

**Address: 320 North Charles Street**

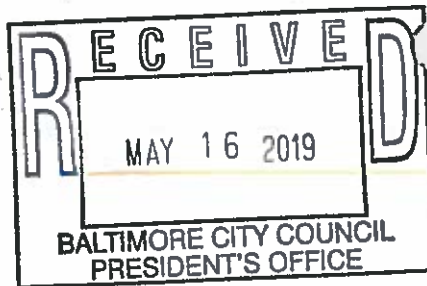
**Baltimore, Md. 21202**

**Telephone: 410-685-5100**

- 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







**ATTACHMENT A**

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE  
**POSTED ON A SIGN BY APRIL 22, 2019 AND PUBLISHED BY MAY 7, 2019, AS**  
DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

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**BALTIMORE CITY COUNCIL**  
**PUBLIC HEARING ON BILL NO. 19-0322**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, May 22, 2019 at 1:00 p.m. in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0322.

**CC 19-0322 ORDINANCE - Rezoning – 1818 East Pratt Street**

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Sheet 57  
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(Edition 2000)

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

Applicant: STT, Inc.

For more information, contact committee staff at (410) 396-1260.

EDWARD REISINGER

Chair

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**SEND CERTIFICATION OF  
PUBLICATION TO:**

Baltimore City Council  
c/o Natawna B. Austin  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**SEND BILL FOR THIS  
ADVERTISEMENT TO:**

Mr. Melvin J. Kodenski, Esquire  
320 North Charles Street  
Baltimore, MD 21202  
410-685-5100

**ATTACHMENT B**



I, Cirilo G. Costilla, (owner of 1820 E. Pratt Street) state that I received a notice of

Attachment A, regarding Baltimore City Council Public Hearing on Bill No. 19-0322 on May 02, 2019.

sign: Cirilo G. Costilla



# Real Property Data Search

## Search Result for BALTIMORE CITY

View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:		Special Tax Recapture:					
Exempt Class:		NONE					
Account Identifier:		Ward - 02 Section - 02 Block - 1745 Lot - 025					
Owner Information							
Owner Name:		COSTILLA CIRILO G		Use:		RESIDENTIAL	
Mailing Address:		1820 E PRATT ST BALTIMORE MD 21231-1826		Principal Residence:		YES	
				Deed Reference:		/07851/ 00201	
Location & Structure Information							
Premises Address:		1820 E PRATT ST BALTIMORE 21231-1826		Legal Description:		17X62	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:
0002	0000	0000		0000	02	1745	025
				Assessment Year:		2018	
				Plat No:		Plat Ref:	
Special Tax Areas:		Town:		NONE			
		Ad Valorem:					
		Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area	
1900		3,162 SF				County Use	
						11130	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation	
3	YES	END UNIT	STONE	2 full			
Value Information							
		Base Value		Value		Phase-in Assessments	
				As of		As of	
				01/01/2018		07/01/2018	
						As of	
						07/01/2019	
Land:		100,000		100,000			
Improvements		180,800		189,000			
Total:		280,800		289,000		283,533	
Preferential Land:		0				286,267	
						0	
Transfer Information							
Seller: CARDOZA, EDISON P		Date: 11/06/1998		Price: \$56,700			
Type: ARMS LENGTH IMPROVED		Deed1: SEB /07851/ 00201		Deed2:			
Seller:		Date:		Price:			
Type:		Deed1:		Deed2:			
Seller:		Date:		Price:			
Type:		Deed1:		Deed2:			
Exemption Information							
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019	
County:		000		0.00			
State:		000		0.00			
Municipal:		000		0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:					
Exempt Class:		NONE					
Homestead Application Information							





I, Christopher J. Nicolas, (owner of 1814 E. Pratt Street) state that I received a notice of

Attachment A, regarding Baltimore City Council Public Hearing on Bill No. 19-0322 on May 02, 2019.

sign: Christopher J. Nicolas



## Real Property Data Search

Search Result for BALTIMORE CITY

View GroundRent Redemption				View GroundRent Registration			
Tax Exempt:				Special Tax Recapture:			
Exempt Class:				NONE			
Account Identifier:				Ward - 02 Section - 02 Block - 1745 Lot - 028			
Owner Information							
Owner Name:		NICOLAS CHRISTOPHER J			Use:		RESIDENTIAL
Mailing Address:		1814 E PRATT ST BALTIMORE MD 21231-1820			Principal Residence:		YES
					Deed Reference:		/15755/ 0337
Location & Structure Information							
Premises Address:		1814 E PRATT ST BALTIMORE 21231-1820			Legal Description:		13-4X75
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:
0002	0000	0000		0000	02	1745	028
						Assessment Year:	2018
						Plat No:	Plat Ref:
Special Tax Areas:				Town: NONE			
				Ad Valorem:			
				Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area	
1900		1,752 SF		250 SF		County Use	
						11130	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation	
3	YES	CENTER UNIT	BRICK	2 full/ 2 half		2007	
Value Information							
		Base Value		Value		Phase-in Assessments	
				As of		As of	
				01/01/2018		07/01/2018	
						As of	
						07/01/2019	
Land:		100,000		100,000			
Improvements		170,400		190,700			
Total:		270,400		290,700		277,167	
Preferential Land:		0				283,933	
						0	
Transfer Information							
Seller: MORFORD, CAMILLE M.		Date: 10/30/2013		Price: \$287,500			
Type: ARMS LENGTH IMPROVED		Deed1: FMC /15755/ 0337		Deed2:			
Seller: SHAW, ROBYN E.		Date: 08/15/2006		Price: \$335,000			
Type: ARMS LENGTH IMPROVED		Deed1: FMC /08206/ 00033		Deed2:			
Seller: STONE HOUSE PROPERTIES, LLC.		Date: 04/18/2006		Price: \$62,250			
Type: NON-ARMS LENGTH OTHER		Deed1: FMC /07664/ 00594		Deed2:			
Exemption Information							
Partial Exempt Assessments:		Class		07/01/2018		07/01/2019	
County:		000		0.00			
State:		000		0.00			
Municipal:		000		0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:					
Exempt Class:		NONE					
Homestead Application Information							



I, Kurt W. Schiller (President), (representative of  
community group: Upper Falls Point Improvement Assoc. state that I received a notice of  
Attachment A, regarding Baltimore City Council Public Hearing on Bill No. 19-0322 on May 02, 2019.

sign:

A handwritten signature in black ink, appearing to read "Kurt W. Schiller", written over a horizontal line.



# The Daily Record

200 St. Paul Place  
Suite 2480  
Baltimore, Maryland 21202  
1 (443) 524-8100  
www.thedailyrecord.com

Melvin J. Kodenski  
320 N Charles St Fl 1  
Baltimore, MD 21201-4354

Account #
10023028
Order Date
4/24/2019
Order #
11736997
PO/Case #
Salesperson

Days	Description	Size/Qty	Unit Price	Amount
1	<b>PUBLIC HEARING ON BILL NO 19-0322</b> <b>Daily Record (MD)</b> <b>Government / Other</b> <b>5/3/2019</b> <b>-Affidavit</b> <b>-Base Charge</b>	143 words/22 ln		9.00 110.44
	Anchor Rate: 110.44 Subsequent Rate: \$0.00			
<b>TOTAL DUE</b>				<b>119.44</b>

**✂ DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT TO:**

The Daily Record  
SDS 12-2790  
PO Box 86  
Minneapolis, MN 55486-2790

Account #	Customer	Order #	Order Date	Total Due
10023028	Melvin J. Kodenski	11736997	4/24/2019	119.44



M M Y Y

CARD NUMBER

EXP. DATE


Security Code: \_\_\_\_\_

Charge My Credit Card \$ \_\_\_\_\_

CUSTOMER SIGNATURE \_\_\_\_\_





<b>FROM</b>	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 #19-0322 / REZONING - 1818 EAST PRATT STREET		

**TO**

DATE:

March 8, 2019

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

At its regular meeting of March 7, 2019, the Planning Commission considered City Council Bill #19-0322, for the purpose of changing the zoning for the property known as 1818 East Pratt Street from the R-8 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 #19-0322, heard additional testimony and adopted the following resolution, eight members being present (six in favor, one opposed, and one abstention):

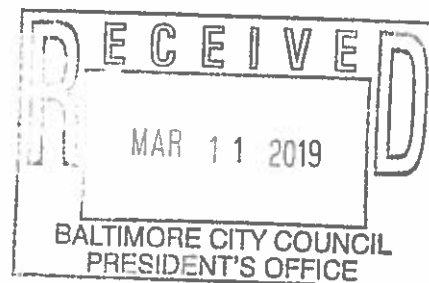
**RESOLVED**, That the Planning Commission does not concur with the recommendation of its Departmental staff, and instead finds that there was a mistake in assigning this property R-8 zoning at the time of the Comprehensive Rezoning of the City in 2017, where the Mayor and City Council did not at that time take notice of the existing commercial use of this property, and that this business had been in continuous operation for an extensive period of time. Therefore, the Commission recommends that City Council Bill #19-0322 be passed 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: 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. Jeff Amoros, Mayor's Office  
The Honorable Edward Reisinger, Council Rep. to Planning Commission  
Mr. William H. Cole IV, BDC  
Mr. Derek Baumgardner, BMZA  
Mr. Geoffrey Veale, Zoning Administration  
Ms. Sharon Daboin, DHCD  
Mr. Tyrell Dixon, DCHD  
Ms. Elena DiPietro, Law Dept.  
Mr. Francis Burnszynski, PABC  
Mr. Frank Murphy, DOT  
Ms. Eboni Wimbush, DOT  
Ms. Natawna Austin, Council Services  
Mr. Ervin Bishop, Council Services  
Mr. Melvin Kodenski, esq., for STT Inc.



*Fav w/ comments*





Catherine E. Pugh  
Mayor

## PLANNING COMMISSION

*Sean D. Davis, Chairman*

### STAFF REPORT



*Chris Ryer*  
Director

March 7, 2019

**REQUEST:** City Council Bill #19-0322/ Rezoning – 1818 East Pratt Street:

For the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 zoning District to the C-1 Zoning District.

**RECOMMENDATION:** Disapproval

**STAFF:** Martin French

**PETITIONER:** Councilmember Sneed, at the request of STT, Inc.

**OWNER:** Subhi Abu-Khdeir

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

**Site Conditions:** This property is located at the northwest corner of the intersection with Durham Street, measures approximately 29'4" by 75', and is currently improved with a three-story semi-detached residential mixed-use structure covering approximately 90% of the now-consolidated lot. Consolidation of 1816 and 1818 East Pratt Street occurred in 1998. The property formerly known as 1816 East Pratt Street was used as a multi-family dwelling containing three dwelling units according to the Police Survey of 1931; it was in use as a liquor store in 1942, and received a Certificate of Occupancy for a tavern on February 10, 1958. The original 1818 East Pratt Street was given a Certificate of Occupancy for a tavern and one dwelling unit on September 9, 1960. On September 26, 1995 a new Certificate of Occupancy for a tavern with accessory package goods liquor store was issued due to a change of operator; on April 28, 1998 the Board of Municipal and Zoning Appeals approved appeal no. 133-98X for a carry-out food shop "in conjunction with cut-rate liquor" [store] for the premises just consolidated. This use was renewed on September 8, 2009 for the consolidated property.

**General Area:** This property is in the Upper Fells Point National Register Historic District, a mid- to late-19<sup>th</sup> Century area in which single-family attached houses, shop-houses on some blocks of major streets, and residential mixed-use structures predominate. There are also scattered institutional and commercial structures.

#### **HISTORY**

There are no previous legislative or Planning Commission actions specifically regarding this site. The Upper Fells Point Historic District was certified to the National Register of Historic Places on December 21, 2007.



## CONFORMITY TO PLANS

The proposed rezoning action does not support the goals, objectives and strategies contained in the Comprehensive Master Plan for the City of Baltimore. One of the objectives expressed in the Master Plan for the new zoning code was consistency of zoning with existing land use, community character, City plans and projects, and City economic development goals (Master Plan, p. 15). In this regard, the structure of which this property is a part is a group of houses, and in a community defined by its attached housing and residents as residential for over 150 years, for which the R-8 zoning is appropriate. Use of the property in part as a liquor store makes it a site of an “alcohol outlet” which in turn means nonconforming status under the new TransForm Baltimore zoning code which continued the zoning of the property as R-8, a zoning in effect since April 1971. One of the goals of the comprehensive rezoning process was reduction of nonconforming alcohol outlets, particularly those in Residential zoning districts. It appears that, in the context of a rezoning which could have the practical effect of extending operation of a liquor store at this location, the proposed action would prevent implementation of the requirement that nonconforming retail goods establishments stop selling liquor (alcoholic beverages) within two years of the June 5, 2017 effective date of the new zoning code. It would thereby also conflict to a certain extent with LIVE Goal 2, Objective 3, Strategy 4: Ensure all residents are within 1.5 miles of quality groceries and neighborhood services, in that possible conversion of this liquor store to a food store or other retail goods establishment with no alcohol sales would not be encouraged.

## ANALYSIS

This property continued to be zoned R-8 effective June 5, 2017, reflecting the residential character of the block of houses to which this property is the east end and of the housing on both sides of the 1800 block (and blocks further east) of Pratt Street. Three blocks west of this property the zoning changes from R-8 to C-1, reflective of the residential mixed-use attached dwellings and commercial structures that predominate along the historic Broadway commercial corridor running from the Fells Point waterfront to Lombard Street. The Planning Commission, in developing the map for the new TransForm Baltimore zoning code, carefully studied the existing conditions of this area and concluded that this combination of R-8 zoning throughout Fells Point and Upper Fells Point’s traditionally residential areas and C-1 zoning to its west, three blocks distant, should remain, with the property lines behind the Broadway properties continuing to define the north-to-south boundary between the Residential District (R-8) and the Commercial (C-1) District. The Mayor and City Council concurred with the Planning Commission’s recommendations in adopting the new Zoning Code and its map which became effective on June 5, 2017.

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.

Below is the staff's review of the required considerations of §5-508(3) of Article 32 – *Zoning*, where staff finds that this proposed change is not in the public's interest, in that it would make the corner residential mixed-use structure and its current first floor level liquor store usable in its entirety as a commercial establishment physically attached to a row of dwellings. There would be no public street or alley to separate the non-residential use from its residential neighbor, which is part of a row of attached dwellings.

It has only been twenty months since the property was placed in its present zoning classification. There had been no significant change in this general area since the previous version of the Zoning Code was adopted in 1971, other than standard turn-over in commercial enterprises in the non-residential properties on Broadway. Residential use of this block and nearby residentially-developed blocks has remained firm. The zoning of the subject property (R-8) that continued in effect on June 5, 2017 is reflective of its use as residential property as well as of its physical attachment to a row of dwellings. The property's commercial use became nonconforming in 1971 and has continued to be nonconforming for over 47 years.

All other parts of the block of dwelling structures to which this end-of-row structure is attached are used residentially. Properties both north, south, west, and east of this property are used residentially. Properties three blocks distant (west of this property, on Broadway) are predominantly non-residential in use, which is reflected in their C-1 zoning that became effective June 5, 2017.

The R-8 zoning that was re-affirmed effective June 5, 2017 allows residential use, but does not allow the liquor store because liquor stores are not among the Neighborhood Commercial Establishments allowed as conditional uses under the TransForm Baltimore zoning code. Because the liquor store remained in place after June 5, 2017, it is classified as a nonconforming use by the new Zoning Code. The structure in which it is located is suitable for residential use, like the row of dwellings to which it is attached, and its street level commercial space is suitable for use as a Neighborhood Commercial Establishment such as a restaurant, retail goods establishment, personal services establishment, or offices.



### **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:** This action does not advance the goals, objectives or strategies contained in the Comprehensive Master Plan also known as LIVE EARN PLAY LEARN.
2. **The needs of Baltimore City:** This action is not needed to serve either a comprehensive redevelopment strategy or a Mayoral initiative.
3. **The needs of the particular neighborhood:** This action does not help to meet the needs of the central and northeastern portions of the larger Fells Point neighborhood.

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;** *There is not likely to be a noticeable population change between June 5, 2017 and the effective date of this proposed action.*
2. **The availability of public facilities;** *Public facilities are expected to remain unchanged.*
3. **Present and future transportation patterns;** *These are expected to remain unchanged.*
4. **Compatibility with existing and proposed development for the area;** *The proposed action would be incompatible with existing development in the area, as elaborated upon previously. There are no proposed development plans for the area that would call for this action.*
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 disapproval of the rezoning request to the Planning Commission. The BMZA has not yet commented on this bill.*
6. **The relation of the proposed amendment to the City's plan.** *As continuation of the R-8 zoning that became effective June 5, 2017 is consistent with the City's Comprehensive Master Plan, which the Planning Commission previously determined in recommending the new zoning districts map to the Mayor and City Council, there is no obvious relationship of this proposed amendment to the City's plan.*

There are additional standards under §5-508(b)(3) that must be considered for map amendments. These include:

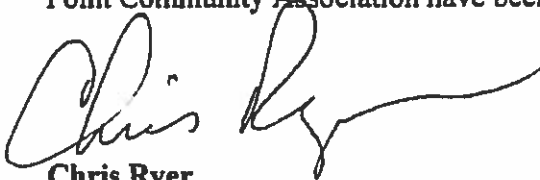
- (i) **existing uses of property within the general area of the property in question;** *On both sides of Pratt Street, and on both sides of the north-south cross streets within three blocks of this property, uses are residential or, on main streets like Pratt Street, residential mixed-use reflecting the historic development pattern of the Fells Point area. Institutional uses such as churches or schools have been associated with residential use.*



- (ii) the zoning classification of other property within the general area of the property in question; *This property is a part of an extensive residential area extending from behind the commercial uses on Broadway, three blocks west of it, to Highlandtown a mile away on the east, and to the Johns Hopkins Hospital and Medical Institutions urban campus four blocks north of it. This zoning classification is reflective of the historic residential nature of this area.*
- (iii) the suitability of the property in question for the uses permitted under its existing zoning classification; and *As described above, this property is suitable for uses permitted under the R-8 zoning classification, including Neighborhood Commercial Establishment uses, in accordance with the terms of the current Zoning Code.*
- (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. *This property is part of a designated historic district, in which development trends have generally been associated with restoration of existing structures, including adaptive re-use.*


Per §5-508(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. There is not likely to be substantial change in neighborhood character between June 5, 2017 and the effective date of the proposed amending ordinance. The current zoning classification of R-8 is based upon the physical characteristics of the existing structure (an end-of-row dwelling with a nonconforming commercial use of one level) and of the dwellings to which it is attached, as well as the residential character of the community on both sides of Pratt Street. As such, there was no mistake in classifying the subject property as R-8, even though the change has made continuation of the existing liquor store use on the street level of the premises continue to be nonconforming.

Notification: Fells Point Main Street, Upper Fells Point Improvement Association, Fell's Point Residents' Association, Fountain Street Association, Douglass District Association, Fells Point District Association, Washington Hill Community Association, Lamb of Life Baptist Church, Fells Point Task Force, Broadway Area Business Association, Fells Prospect, Inc., and Fells Point Community Association have been notified of this action.



Chris Ryer  
Director



FROM	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE  M E M O	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0322		

TO: Mayor Catherine E. Pugh  
TO: Land Use and Transportation Committee  
FROM: Department of Transportation  
POSITION: No Objection  
RE: Council Bill – 19-0322

DATE: 2/1/19

**INTRODUCTION** – Rezoning – 1818 East Pratt Street

**PURPOSE/PLANS** – For the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 4 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

**COMMENTS** – No comment.

**AGENCY/DEPARTMENT POSITION** –

The Department of Transportation has no objection to City Council bill 19-0322.

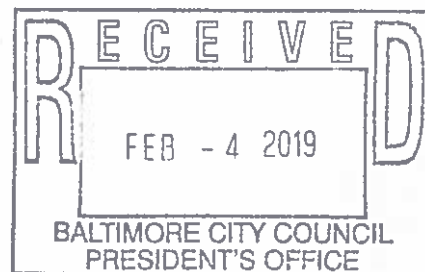
If you have any questions, please do not hesitate to contact Michael Castagnola at Michael.Castagnola@baltimorecity.gov, 410-396-6802.

Sincerely,



Michelle Pourciau  
Director

*no objection*







CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

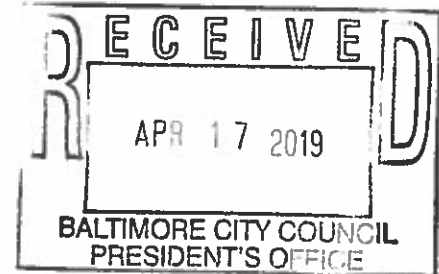


DEPARTMENT OF LAW

101 City Hall  
Baltimore, Maryland 21202

April 17, 2019

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 19-0322 –Rezoning of 1818 East Pratt Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0322 for form and legal sufficiency. If enacted, the bill would change the zoning for 1818 East Pratt Street from the R-8 Zoning District to the C-1 Zoning District. For the reasons set forth within, the Law Department cannot find that the bill is legally sufficient.

The City Council can only permit this rezoning if it finds facts sufficient to show either a mistake in the existing zoning classification or a substantial change in the character of the neighborhood. Md. Code, Land Use, §10-304(b)(2); City Code, Art. 32, §§5-508(a),(b)(1). There would appear to be no basis to believe that the neighborhood could have substantially changed between the comprehensive rezoning of the property on June 5, 2017 and today's date. Therefore, to legally rezone the property under current law, the City Council must identify a "mistake" that lead to the inappropriate zoning of the property as R-8 only a short time ago. Md. Code, Land Use §10-304(b)(2); City Code, Art. 32, §§5-508(a),(b)(1).

As "there is a strong presumption of the correctness of original zoning and of comprehensive rezoning," there must be substantial 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." *People's Counsel v. Beachwood I Ltd. Partnership*, 107 Md. App. 627, 641 (1995)(citations omitted); *Boyce v. Sembly*, 25 Md. App. 43, 52 (1975) (citations omitted). In other words, "the Council's action was premised initially on a misapprehension" making the selection of the R-8 zoning designation a "conclusion based upon a factual predicate that is incomplete or inaccurate." *People's Counsel*, 107 Md. App. at 641, 645 (1995)(citation omitted); *accord White v. Spring*, 109 Md. App. 692, 698 (1996). "[A]n 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.* at 645.

UF





Without showing either facts that were not taken into account or subsequent events, "the presumption of validity accorded to comprehensive zoning is not overcome and the question of error is not 'fairly debatable.'" *Boyce*, 25 Md. App. at 52.

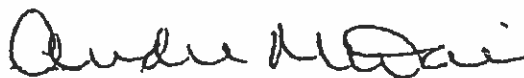
To be sure, if evidence of a factual mistake sufficient to justify a rezoning is revealed, then courts will accord deference to the legislative judgment to rezone. *Cty. Council of Prince George's Cty. v. Zimmer Dev. Co.*, 444 Md. 490, 509-510 (2015); accord *White*, 109 Md. App. at 699 ("the courts may not substitute their judgment for that of the legislative agency if the issue is rendered fairly debatable"); *Floyd v. County Council of Prince George's County*, 55 Md. App. 246, 258 (1983) ("Substantial evidence, we have noted, 'means a little more than a "scintilla of evidence."'").

The Report of the Planning Commission contains *no support* for the bald assertion that there was a mistake in the selection of R-8 as the zoning for 1818 East Pratt Street. Md. Code, Land Use, §10-304(b)(2). Rather, the Planning Commission, in contrast to a detailed staff report to the contrary, simply summarily concludes that "the Mayor and City Council did not at that time take notice of the existing commercial use of this property, and that this business had been in continuous operation for an extensive period of time." Even if there was proof that the City Council had failed to notice the property's long existing commercial use, that would not automatically support a mistake in the selection of residential zoning. Rather, the fact that 1818 East Pratt Street had been a non-conforming use for over 40 years can be support for the selection of residential zoning because residential uses have clearly been the contemplated use for that land for decades. See, e.g., *Tennison v. Shomette*, 38 Md. App. 1, 5 (1977), cert. den., 282 Md. 739 (1978). There has also been no showing of any subsequently occurring events that would evidence a mistake. Rather, this was a well studied property, with a clear history, that was intentionally zoned residential.

Therefore, rezoning this property now to C-1 would constitute unlawful spot zoning because it would be only for the benefit of the property owner. When the City has undertaken such efforts in the past, Maryland's highest court has invalidated the ordinance as unreasonable, discriminatory spot zoning because the rezoning had insufficient relationship to the public health, safety or general welfare. See, e.g., *Cassel v. Mayor and City Council of Baltimore*, 195 Md. 348, 354 (1950).

On the present record, it cannot be shown that the City Council had a misapprehension about these facts. Accordingly, the legal standard for rezoning cannot be met and the Law Department cannot approve the bill for legal sufficiency.

Very truly yours,

A handwritten signature in black ink, appearing to read "Andre M. Davis". The signature is fluid and cursive, with the first name "Andre" being more prominent than the last name "Davis".

Andre M. Davis



**City Solicitor**

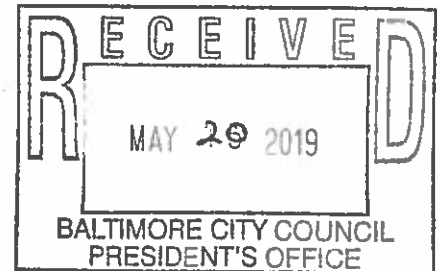
**cc: Karen Stokes, Director, Mayor's Office of Government Relations  
Jeffrey Amoros, Mayor's Legislative Liaison  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Victor Terval, Chief Solicitor  
Hilary Ruley, Chief Solicitor  
Ashlea Brown, Assistant Solicitor**





BALTIMORE CITY  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

unfavourable



## MEMORANDUM

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

From: Michael Braverman, Housing Commissioner *MB*

Date: May 6, 2019

Re: City Council Bill 19-0322, Rezoning – 1818 East Pratt Street

---

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0322, for the purpose of changing the zoning for the property known as 1818 East Pratt Street from the R-8 Zoning District to the C-1 Zoning District.

Without rezoning to C-1, this property will be subject to the requirement in the new zoning code that nonconforming retail goods establishments stop selling liquor. In its staff report, the Department of Planning noted that this property is part of a group of houses in a community defined by its attached housing. The character of the neighborhood has been residential for over 150 years, for which the R-8 zoning district is appropriate.

At its regular meeting of March 7, 2019, the Planning Commission resolved not to concur with the recommendation of its Departmental staff, arguing that at the time of the Comprehensive Rezoning of the City in 2017, the Mayor and City Council did not take notice of the existing commercial use of the property, and that this business had been in continuous operation for an extensive period of time, and therefore there was mistake in assigning this property R-8 zoning.

In its bill report, the Law Department argues that the Planning Commission did not provide evidence that the City Council failed to take note of the existing commercial use. In addition, it argued that failing to notice the property's long existing commercial use does not automatically support a mistake in the selection of residential zoning, noting that it had been a non-conforming use for over 40 years.

DHCD has review City Council Bill 19-0322 and does not support the passage of the bill. DHCD agrees with the Department of Planning that the R-8 zoning designation is appropriate for this property. DHCD also agrees with the Law Department's conclusion that there is insufficient evidence to support the claim that a mistake was made in the zoning of this property.

MB:td

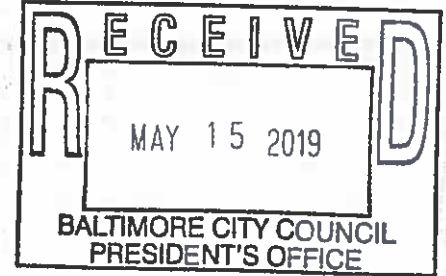
cc: Mr. Jeffrey Amoros, Mayor's Office of Government Relations







unfavorable



## MEMORANDUM

DATE: May 1, 2019  
TO: Land Use and Transportation Committee  
FROM: William H. Cole, President and CEO  
POSITION: Oppose  
SUBJECT: City Council Bill 19-0322 - Rezoning – 1818 East Pratt Street

### INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0322, the purpose of which is to change the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), from the R-8 Zoning District to the C-1 Zoning District.

### PURPOSE

The property is a non-conforming liquor store and the intention of the applicant is to change the zoning so that the grocery/liquor store can continue to operate.

### BRIEF HISTORY

Under the Transform Baltimore Zoning Code, which was enacted in July of 2015, the R-8 zoning prohibits liquor stores that are located within residential neighborhoods. During the spring and summer of 2018, BDC conducted outreach to all non-conforming liquor stores and offered assistance to bring their businesses into compliance. BDC discussed options with each business that included eliminating liquor sales at the non-conforming location and converting the business into a grocery/retail use, applying for a hardship waiver, if applicable, or by relocating the business to a location where a liquor store use is permitted.

### FISCAL IMPACT

None

### AGENCY POSITION

The Planning and Law Department have opposed the Bill on the basis that this request constitutes an illegal zoning modification. BDC also opposes City Council Bill 19-0322. However, BDC is readily available and willing to assist all non-conforming businesses to be in compliance at their present location or with relocation to properties where a liquor store use is permitted.

If you have any questions, please do not hesitate to contact Kim Clark at [kclark@baltimoredevelopment.com](mailto:kclark@baltimoredevelopment.com) and 410-837-9305.

cc: Jeffrey Amoros

{MJF}



CITY OF BALTIMORE



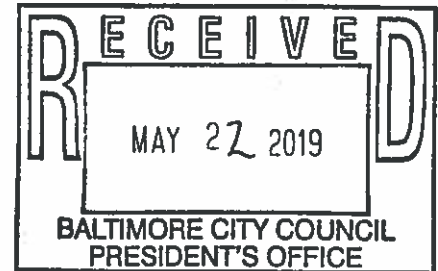
BOARD OF MUNICIPAL AND  
ZONING APPEALS

DEREK J. BAUMGARDNER, Executive Director  
417 E. Fayette Street, Suite 922  
Baltimore, Maryland 21202

May 22, 2019

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

*objects*



**RE: CC Bill #19-322 Rezoning – 1818 East Pratt Street**

Ladies & Gentlemen:

City Council Bill No. 19-322 has been referred by your honorable body to the Board of Municipal & Zoning Appeals for study and report.

The purpose of City Council Bill No. 19-322 is to change the zoning district for the property located at 1818 East Pratt Street from the R-8 Zoning District to the C-1 Zoning District.

The BMZA has reviewed the legislation and concurs with the report and recommendation of the Planning Department, the Department of Housing & Community Development, and the Law Department recommending disapproval of this bill.

Sincerely,

Derek J. Baumgardner  
Executive Director

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







# UPPER FELL'S POINT

*Improvement Association/Asociación de Mejoramiento*

upperfellspoint.org | PO Box 38215, Baltimore MD 21231

May 12, 2019

Councilman Edward Reisinger, Chair  
Land Use and Transportation Committee  
100 Holliday Street  
Suite 500  
Baltimore, Maryland 21202

Re: 19-0322, Rezoning -- 1818 East Pratt Street

Chairman Reisinger,

The Upper Fells Point Improvement Association (UFPIA) is writing to express its support for draft Ordinance 19-0322, sponsored by Councilwoman Sneed, for the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026) from R-8 Zoning to C-1 Zoning.

The UFPIA voted to support this zoning change at its July 2018 general membership meeting. The UFPIA considers the establishment operating at 1818 East Pratt to be a valuable neighborhood amenity. Michael Eqbay, the licensee of the business has signed a Memorandum of Understanding (MOU) with the UFPIA to indicate his willingness to operate his establishment with full consideration of the surrounding community's concerns. In addition to signing the MOU, Mr. Eqbay has agreed to accept packages on behalf of community members who are unable to be home when they are delivered.

Please feel free to contact me for additional information or comments, using the e-mail address [president@upperfellspoint.org](mailto:president@upperfellspoint.org).

Respectfully,

Kurt W Schiller  
President  
Upper Fells Point Improvement Association

**received**  
5-15-19  
G. Stuart G. Kowitz



100

100



# UPPER FELL'S POINT

*Improvement Association/Asociación de Mejoramiento*

upperfellspoint.org | PO Box 38,47, Baltimore MD 21231

---

**CC:**

Sharon Green Middleton, Vice-Chair [Sharon.middleton@baltimorecity.gov](mailto:Sharon.middleton@baltimorecity.gov)

Mary Pat Clarke [marypat.clarke@baltimorecity.gov](mailto:marypat.clarke@baltimorecity.gov)

Eric Costello [eric.costello@baltimorecity.gov](mailto:eric.costello@baltimorecity.gov)

Ryan Dorsey [ryan.dorsey@baltimorecity.gov](mailto:ryan.dorsey@baltimorecity.gov)

Leon Pinkett [leon.pinkett@baltimorecity.gov](mailto:leon.pinkett@baltimorecity.gov)

Robert Stokes [Robert.stokes@baltimorecity.gov](mailto:Robert.stokes@baltimorecity.gov)

Shannon Sneed [Shannon.Sneed@baltimorecity.gov](mailto:Shannon.Sneed@baltimorecity.gov)

Maureen Gershberg [Secretary@upperfellspoint.org](mailto:Secretary@upperfellspoint.org)

Jeff May [Landuse@upperfellspoint.org](mailto:Landuse@upperfellspoint.org)



100





Jennifer Coates <jennifer.coatesocs@gmail.com>

---

**re: Public hearing on Bill No.: 19-0322**

---

Melvin Kodenski <melvinjkodenski@hotmail.com>  
To: Jennifer Coates <jennifer.coatesocs@gmail.com>

Fri, May 17, 2019 at 3:50 PM

Here is the Findings of Fact.

[Quoted text hidden]

---

 **15094.doc**  
28K



## FINDINGS OF FACT

Re: Rezoning of 1818 E. Pratt Street Bill No.: 19-0322

Proposed legislation is to change the zoning for 1818 E. Pratt Street from R-8 to C-1. 1818 E. Pratt Street is occupied by STT, Inc., t/a Pratt Liquor & Convenience.

1. As to population changes in the area, there has been an influx of younger people in the area, resulting in the need of a store for convenience purposes which has existed for quite some time and the area would benefit by the continued use with regard to this particular request.
2. There are some public facilities in the area but none meet the criteria of the requested use.
3. Present and future transportation patterns in the area would not be affected at all by this legislation.
4. The present use is compatible with the area, having been in existence for a long period of time, over many, many, many years, which was originally a commercial area.
5. The proposed rezoning would confirm to Transform Baltimore (the master plan) in that it would be a neighborhood business use.
6. The proposed rezoning is not for the sole benefit of the applicant but is for the benefit of the entire area as witnessed by the approval of the community group which is in favor of this change and the rezoning would serve the broader public interest in the area.
7. As pointed out in the Planning Hearing, there was a mistake in the change of the zoning as this use had been there for many, many years and it was a mistake to change the zoning back to 'residential' when the commercial neighborhood use would be appropriate to take care of the neighborhood and the surrounding neighbors.



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Land Use and Transportation Committee

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Wednesday, June 12, 2019

1:15 PM

Du Burns Council Chamber, 4th floor, City Hall

---

#### Voting Session: 19-0322

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

**Present** 6 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

**Absent** 1 - Member Ryan Dorsey

#### **ITEMS SCHEDULED FOR VOTING SESSIONS**

##### 19-0322

##### **Rezoning - 1818 East Pratt Street**

For the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

**Sponsors:** Shannon Sneed

**A motion was made by Member Pinkett, III, seconded by Member Costello, that the bill be recommended favorably. The motion carried by the following vote:**

**Yes:** 6 - Member Reisinger, Member Middleton, Member Clarke, Member Costello, Member Pinkett III, and Member Stokes Sr.

**Absent:** 1 - Member Dorsey

#### **ADJOURNMENT**



**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**HEARING NOTES**

**Bill: 19-0322**

**Rezoning – 1818 East Pratt Street**

**Committee:** Land Use and Transportation

**Chaired By:** Councilmember Reisinger

**Hearing Date:** June 12, 2019

**Time (Beginning):** 1:20 p.m.

**Time (Ending):** 1:22 p.m.

**Location:** Clarence “Du” Burns Chambers

**Total Attendance:** ~15

**Committee Members in Attendance:**

Edward Reisinger, Chairman

Sharon Green Middleton, Vice Chair

Mary Pat Clarke

Eric Costello

Leon Pinkett

Robert Stokes

Bill Synopsis in the file? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Attendance sheet in the file? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Agency reports read? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Hearing televised or audio-digitally recorded? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Certification of advertising/posting notices in the file? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Evidence of notification to property owners? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Final vote taken at this hearing? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Motioned by: .....	Councilmember Pinkett		
Seconded by: .....	Councilmember Costello		
Final Vote: .....	Favorable		

**Major Speaker**

- Councilman Edward Reisinger







**CITY OF BALTIMORE**  
**CITY COUNCIL HEARING ATTENDANCE RECORD**

**Committee: Land Use and Transportation**

**Chairperson: Edward Reisinger**

Date: May 22, 2019

Time: 1:00 p.m.

**Place: Clarence "Du" Burns Chambers**

**Subject: Ordinance - Rezoning - 1818 East Pratt Street**

CC Bill Number: 19-0322

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	T	F	A	Y	N
John	Doe	100	North Charles Street	21202	John.doe@bmore@yahoo.com	✓	✓	✓	✓	✓
Kurt	Schiller		Upper Falls Point Improvement Assoc	21231	President@upperfallspt.org	✓	✓	✓	✓	✓
Michelle	Baskin		Bell 19-0322			✓	✓	✓	✓	✓
Mica	Katz		BDC		Bdc.Mica@gmail.com	✓	✓	✓	✓	✓
Martin	French		Planning			✓	✓	✓	✓	✓
N. Cop	Davis				Nicole Davis - 404.444.1111	✓	✓	✓	✓	✓

(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



**CITY OF BALTIMORE**  
**CITY COUNCIL HEARING ATTENDANCE RECORD**

**Committee: Land Use and Transportation**

**Chairperson: Edward Reisinger**

Date: May 22, 2019

Time: 1:00 p.m.

**Place: Clarence "Du" Burns Chambers**

**Subject: Ordinance - Rezoning - 1818 East Pratt Street**

**CC Bill Number: 19-0322**

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**

[illegible]

(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

### Major Issues Discussed

1. Chairman Reisinger reconvened the hearing and read the bill into the record.
  2. The committee voted to approve the findings of facts for the bill
  3. The committee voted to report the bill with a favorable recommendation.
  4. The hearing was adjourned
- 

### Further Study

Was further study requested?

☐ Yes ☒ No

If yes, describe. N/A

---

### Committee Vote:

E. Reisinger: ..... Yea  
S. Middleton: ..... Yea  
M. Clarke ..... Yea  
E. Costello: ..... Yea  
R. Dorsey ..... Absent  
L. Pinkett: ..... Yea  
R. Stokes: ..... Yea

---

Jennifer L. Coates, Committee Staff

Date: June 12, 2019

cc: Bill File  
OCS Chrono File





# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Land Use and Transportation Committee

---

Wednesday, May 22, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

---

19-0322

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

**Present** 3 - Member Mary Pat Clarke, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

**Absent** 4 - Member Edward Reisinger, Member Sharon Green Middleton, Member Eric T. Costello, and Member Ryan Dorsey

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

19-0322

##### **Rezoning - 1818 East Pratt Street**

For the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

**Sponsors:** Shannon Sneed

**THE MEETING WAS RECESSED**



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 19-0322

Rezoning – 1818 East Pratt Street

Committee: Land Use and Transportation

Chaired By: Councilmember Mary Pat Clarke

Hearing Date: May 22, 2019

Time (Beginning): 1:00 p.m.

Time (Ending): 1:30 p.m.

Location: Clarence "Du" Burns Chambers

Total Attendance: ~25

Committee Members in Attendance:

Mary Pat Clarke, Acting Chairperson

Leon Pinkett

Robert Stokes

Bill Synopsis in the file? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Attendance sheet in the file? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Agency reports read? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Hearing televised or audio-digitally recorded?.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Certification of advertising/posting notices in the file?.....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
Evidence of notification to property owners? .....	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Final vote taken at this hearing? .....	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Motioned by: .....			
Seconded by:.....			
Final Vote: .....			

Major Speakers

(This is not an attendance record.)

- Martin French, Department of Planning
- Hilary Ruley, Law Department
- Derek Baumgardner, Board of Municipal Zoning Appeals (BMZA)
- Liam Davis, Department of Transportation (DOT)
- Sharon Daboin, Department of Housing and Community Development (DHCD)







- Mica Fetz, Baltimore Development Corporation (BDC)
  - Mr. Melvin Kodenski, Esquire, representative for the applicant
  - Mr. Michael Eqbay, applicant,
  - Mr. Kurt W. Schiller, President, Upper Fells Point Improvement Association
  - Ms. Nicole Davis, resident, Baltimore City
- 

### **Major Issues Discussed**

1. Councilwoman Clarke introduced committee members and read the bill and public notice information into the record.
  2. Councilwoman Sneed testified about the purpose for introducing and supporting the bill.
  3. Martin French – Read the Planning Commission's and Department of Planning's reports into the record. The property has been operating in one form or another as a liquor store since 1942.
  4. Derek Baumgardner – Testified that BMZA is opposed to the passage of the bill.
  5. Hilary Ruley – Read the Law Department's report into the record.
  6. Mica Fetz – Read BDC's report into the record. Councilmember Clarke asked Mr. Fetz whether the owner of the tavern in question was notified by BDC during the Transform Baltimore process about the future zoning status for operation as an alcoholic outlet. Mr. Fetz did not know especially because computers were not operating at this time
  7. Sharon DaBoin – Read DHCD's report into the record.
  8. Liam Davis – Read the Department of Transportation's report into the record.
  9. Kurt Schiller testified in support of the bill on behalf of the Upper Fells Point Improvement Association (UFPIA). He indicated that a letter was written to former Councilman Kraft in support of the zoning for the property being changed during the Transform Baltimore process to support the applicant's establishment as an alcoholic beverage outlet. He read a letter of support from UFPIA into the record.
  10. Mr. Melvin Kodenski testified on behalf of the applicant in support of the bill. He also provided (oral/written) findings to support the bill.
  11. Mr. Michael Eqbay testified in support of the bill. He indicated that he has entered into a Memorandum of Understanding with the community for operation of the business. There are two dwellings on the lot of 1816 Pratt Street and 1818 Pratt Street. The bottom of the building houses a commercial establishment.
  12. Ms. Nicole Davis testified on behalf of Work Angels Inc. and several silent partners about the prohibition of liquor establishments in blighted areas.
  13. This hearing was recessed, and a voting session will be scheduled at a later date.
- 

### **Further Study**

**Was further study requested?**

☐ Yes ☒ No

**If yes, describe. N/A**

---



**Committee Vote:**

E. Reisinger: .....  
S. Middleton: .....  
M. Clarke .....  
E. Costello: .....  
**R. Dorsey** .....  
L. Pinkett: .....  
R. Stokes:.....

---

Jennifer L. Coates, Committee Staff



Date: May 22, 2019

cc: Bill File  
OCS Chrono File



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Agenda - Final

### Land Use and Transportation Committee

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Wednesday, May 22, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

---

19-0322

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

##### **19-0322**

##### **Rezoning - 1818 East Pratt Street**

For the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

##### **Sponsors:**

Shannon Sneed

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**





## **BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION COMMITTEE**

### **Mission Statement**

*On behalf of the Citizens of Baltimore City*, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger  
Chairperson**

### **PUBLIC HEARING**

**Wednesday, May 22, 2019  
1:00 PM**

***City Council Bill # 19-0322***

***Rezoning - 1818 East Pratt Street***

## CITY COUNCIL COMMITTEES

### BUDGET AND APPROPRIATIONS

Eric Costello – Chair  
Leon Pinkett – Vice Chair  
Bill Henry  
Sharon Green Middleton  
Brandon M. Scott  
Isaac "Yitzy" Schleifer  
Shannon Sneed  
*Staff: Marguerite Currin*

### EDUCATION AND YOUTH

Zeke Cohen – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Kristerfer Burnett  
Ryan Dorsey  
*Staff: Matthew Peters*

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristerfer Burnett – Vice Chair  
Mary Pat Clarke  
Zeke Cohen  
Isaac "Yitzy" Schleifer  
*Staff: Marguerite Currin*

### HOUSING AND URBAN AFFAIRS

John Bullock – Chair  
Isaac "Yitzy" Schleifer – Vice Chair  
Kristerfer Burnett  
Bill Henry  
Shannon Sneed  
Zeke Cohen  
Ryan Dorsey  
*Staff: Richard Krummerich*

### JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Leon Pinkett  
Edward Reisinger  
Brandon Scott  
Robert Stokes  
*Staff: Matthew Peters*

### LABOR

Shannon Sneed – Chair  
Robert Stokes – Vice Chair  
Eric Costello  
Bill Henry  
Mary Pat Clarke  
*Staff: Samuel Johnson*

### LAND USE AND TRANSPORTATION

Edward Reisinger – Chair  
Sharon Green Middleton – Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Leon Pinkett  
Robert Stokes  
*Staff: Jennifer Coates*

### PUBLIC SAFETY

Brandon Scott – Chair  
Ryan Dorsey – Vice Chair  
Kristerfer Burnett  
Shannon Sneed  
Zeke Cohen  
Leon Pinkett  
Isaac "Yitzy" Schleifer  
*Staff: Richard Krummerich*

### TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair  
Leon Pinkett – Vice Chair  
Eric Costello  
Edward Reisinger  
Robert Stokes  
*Staff: Samuel Johnson*  
- Larry Greene (pension only)



**CITY OF BALTIMORE**

BERNARD C. "JACK" YOUNG,  
Ex Officio Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**BILL SYNOPSIS**

**Committee: Land Use and Transportation**

**Bill 19-0322**

---

**Rezoning - 1818 East Pratt Street**

---

**Sponsor:** Councilmember Sneed

**Introduced:** January 14, 2019

**Purpose:**

For the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

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

**Hearing Date/Time/Location:** May22, 2019 / 1:00 p.m./Clarence "Du" Burns Chambers

---

**Agency Reports**

Planning Commission	Favorable/Comments
Board of Municipal and Zoning Appeals	
Department of Transportation	No Objection
Department of Law	Unfavorable
Department of Housing and Community Development	Unfavorable
Baltimore Development Corporation	Unfavorable

## **Analysis**

### **Current Law**

Article 32 - Zoning  
Zoning District Map  
Sheet  
Baltimore City Revised Code  
(Edition 2000)

### **Background**

If approved, Bill 19-0322 proposes to rezone 1818 East Pratt Street from the R-8 Zoning District to the C-1 Zoning District. Current zoning districts are shown in the attached plat.

According to the State Land Use Article, a rezoning may be approved based on a finding that there was:

- (1) either a substantial change in the character of the neighborhood where the property is located; or
- (2) a mistake in the existing zoning classification.

The applicant and owner of the property is Subhi Abu-Khdeir. The property is situated in the Upper Fells Point National Historic District. The building is situated on the northwest corner of the intersection of Pratt and Durham Streets. The residential area is generally comprised of single-family attached houses, shop-houses and residential mixed-use structures.

The 29.4' x 75' property is improved with a three-story, semi-detached, end of row building. The structure on the site covers approximately 90% of the lot. The building is currently being used as a liquor store.

Prior to the new Baltimore City Code - Article 32 – Zoning, which became effective June 5, 2017, the property was zoned R-8 Residential Zoning District. Under the new Zoning Code, Transform Baltimore, 1818 East Pratt Street remained R-8. Under the current Zoning Code, however, use of the building as a liquor store has become a “nonconforming use” (alcohol outlet) in the R-8 Zoning District. Retail goods establishment (With Alcoholic Beverages Sales) are allowed in the C-1 Commercial Zoning District as a conditional use by ordinance of the Mayor and City Council. Bill 19-0322 proposes to change the zoning to C-1.

If approved, Bill 19-0322 proposes to rezone the property as follows:

Property	Zoning		
	Prior to Transform	Current	Proposed
1818 East Pratt Street	R-8	R-8	C-1

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

#### **Current Zoning District – R-8**

##### **§ 9-204. R-8 Rowhouse Residential District.**

###### **(a) Neighborhoods.**

The R-8 Rowhouse Residential Zoning District is intended to accommodate and maintain the traditional form of urban rowhouse development typical of many of the City's inner neighborhoods, which contain continuous, block-long rowhouse development built to or only modestly set back from the street.

#### **Proposed Zoning District – C-1**

##### **§ 10-201. C-1 Neighborhood Business District.**

###### **(a) *Areas for which intended.***

The C-1 Neighborhood Business Zoning District is intended for areas of commercial clusters or pedestrian-oriented corridors of commercial uses that serve the immediate neighborhood.

###### **(b) *Standards.***

The C-1 District standards are crafted to:

- (1) ensure compatibility between neighboring residential and commercial uses;
- (2) maintain the proper scale of commercial use; and
- (3) address the unique issues related to smaller commercial sites.

(Ord. 16-581)

#### **Communication**

The Upper Fells Point Improvement Association sent a letter in support for the rezoning dated May 12, 2019 (see attached).

---

### **Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Agency Reports

---

Analysis by: Jennifer L. Coates  
Analysis Date: May 16, 2019



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE  
COUNCIL BILL 19-0322  
(First Reader)**

Introduced by: Councilmember Sneed

At the request of: STT, Inc.

Address: c/o Melvin J. Kodenski, Esquire, 320 North Charles Street, Baltimore, Maryland  
21201

Telephone: 410-685-5100

Introduced and read first time: January 14, 2019

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**

**AN ORDINANCE concerning**

**Rezoning – 1818 East Pratt Street**

**FOR the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.**

**BY amending**

Article 32 - Zoning  
Zoning District Map  
Sheet 57  
Baltimore City Revised Code  
(Edition 2000)

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That Sheet 57 of the Zoning District Map is amended by changing from the R-8 Zoning District to the C-1 Zoning District the property known as 1818 East Pratt Street (Block 1745, Lot 026), 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.

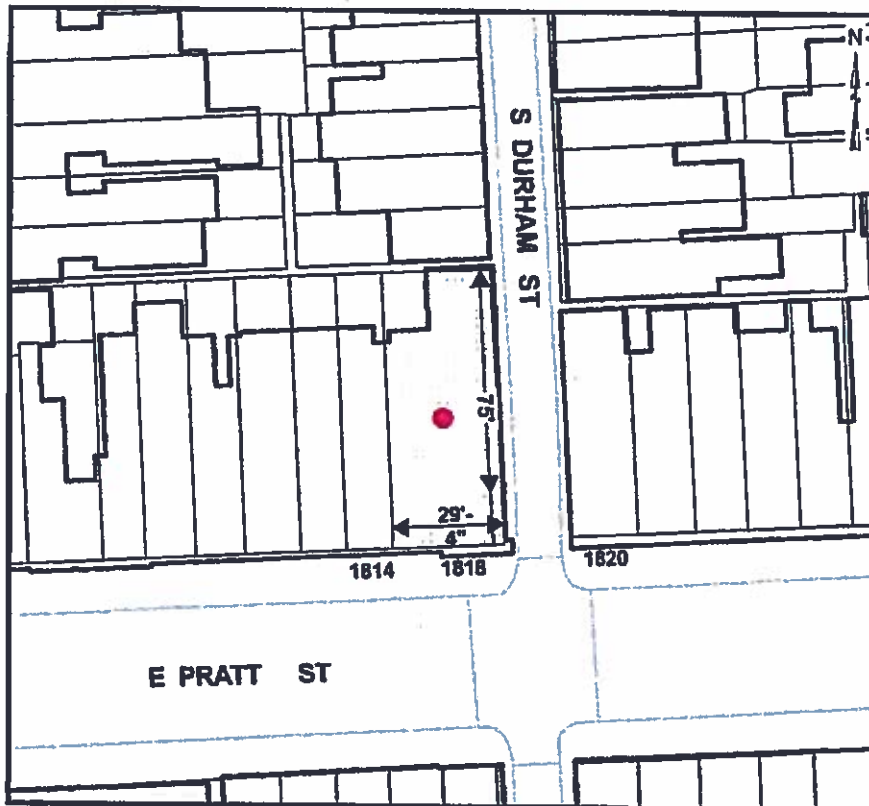
**SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.

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

**SHEET NO. 57 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 1818 EAST PRATT STREET. The Applicant Wishes To Request The Rezoning Of The Aforementioned Property From R-8 Zoning to C-1 Zoning, As Outlined In Red Above.

WARD 2                      SECTION 2  
BLOCK 1745                      LOT 28

MAYOR

PRESIDENT CITY COUNCIL





# UPPER FELS POINT

Improvement Association/Asociación de Mejoramiento

upperfellspoint.org PO Box 20013 Baltimore, MD 21221

May 12, 2019

Councilman Edward Reisinger, Chair  
Land Use and Transportation Committee  
100 Holliday Street  
Suite 500  
Baltimore, Maryland 21202

Re: 19-0322, Rezoning – 1818 East Pratt Street

Chairman Reisinger,

The Upper Fells Point Improvement Association (UFPIA) is writing to express its support for draft Ordinance 19-0322, sponsored by Councilwoman Sneed, for the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block 1745, Lot 026) from R-8 Zoning to C-1 Zoning.

The UFPIA voted to support this zoning change at its July 2018 general membership meeting. The UFPIA considers the establishment operating at 1818 East Pratt to be a valuable neighborhood amenity. Michael Eqbay, the licensee of the business has signed a Memorandum of Understanding (MOU) with the UFPIA to indicate his willingness to operate his establishment with full consideration of the surrounding community's concerns. In addition to signing the MOU, Mr. Eqbay has agreed to accept packages on behalf of community members who are unable to be home when they are delivered.

Please feel free to contact me for additional information or comments, using the e-mail address [president@upperfellspoint.org](mailto:president@upperfellspoint.org).

Respectfully,

A handwritten signature in black ink, appearing to read "Kurt W. Schiller".

Kurt W Schiller  
President  
Upper Fells Point Improvement Association

received  
5-15-19  
Kurt W. Schiller



# UPPER FELL'S POINT

*Improvement Association/Asociación de Mejoramiento*

upperfells-point.org 707 PARKWAY, BALTIMORE, MD 21201

---

CC:

Sharon Green Middleton, Vice-Chair Sharon.middleton@baltimorecity.gov

Mary Pat Clarke marypat.clarke@baltimorecity.gov

Eric Costello eric.costello@baltimorecity.gov

Ryan Dorsey ryan.dorsey@baltimorecity.gov

Leon Pinkett leon.pinkett@baltimorecity.gov

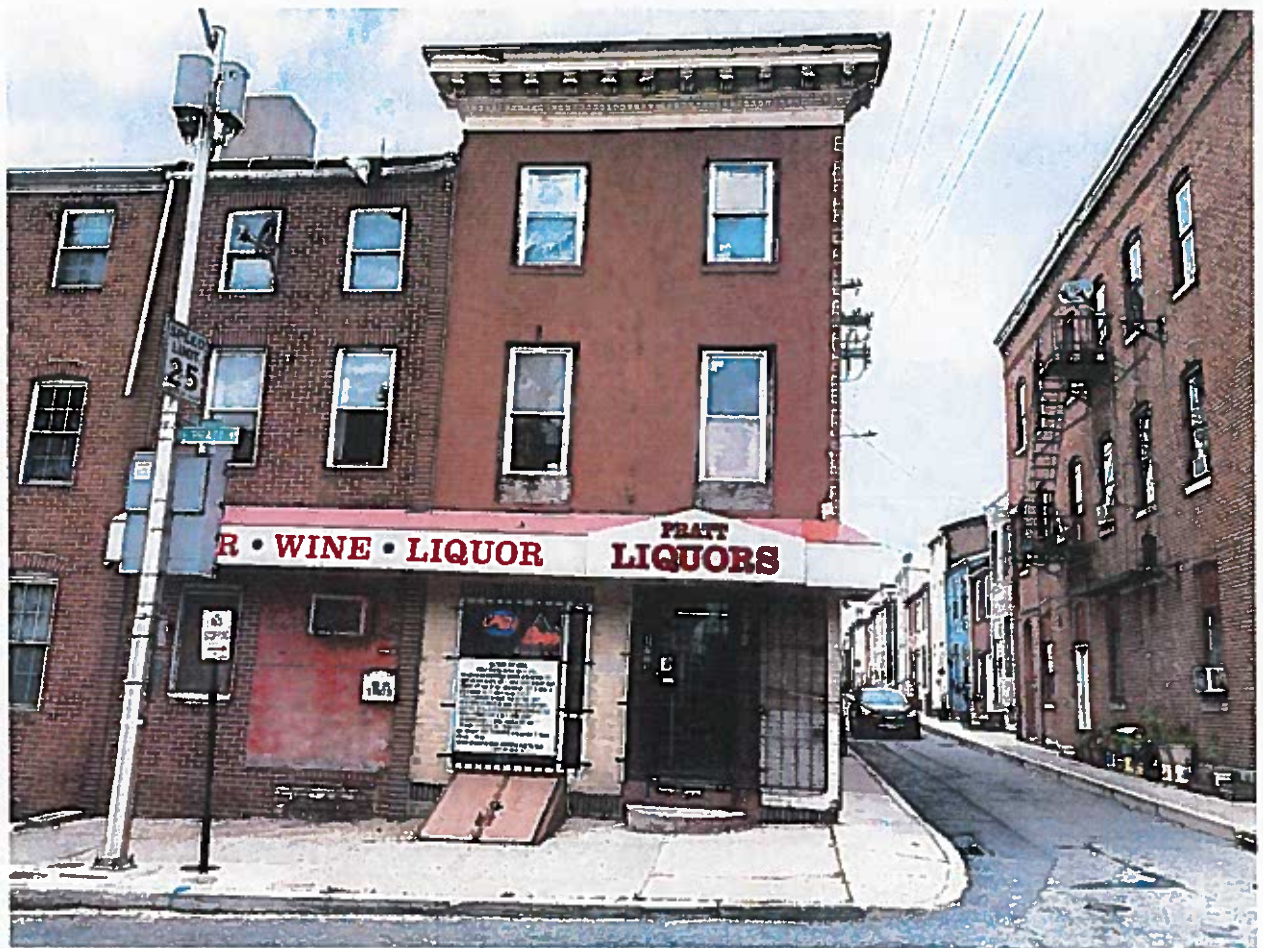
Robert Stokes Robert.stokes@baltimorecity.gov

Shannon Sneed Shannon.Sneed@baltimorecity.gov

Maureen Gershberg Secretary@upperfellspoint.org

Jeff May Landuse@upperfellspoint.org







## Coates, Jennifer

---

**From:** Coates, Jennifer  
**Sent:** Tuesday, April 16, 2019 11:37 AM  
**To:** 'MelvinJKodenski@hotmail.com'  
**Cc:** Sneed, Shannon; Stuart-Sikowitz, Gabriel; Austin, Natawna B.  
**Subject:** Public Notice Instructions for Upcoming Hearing - Bill 19-0322  
**Attachments:** PNI - Letter - 19-0322- RZ - 1818 E Pratt Street.docx; Afro American; Michele Griesbauer - Sunpaper - Advertising; Darlene Miller; Form - Certificate of Posting.docx; LU Form - Contacts for Sign Posting RZ COMPRZ PUD - Art 32.docx

Mr. Melvin Kodenski:

Attached is the information you will need to post, publish and mail public hearing notice(s) for the subject bill to be heard by the Land Use and Transportation Committee on **May 22, 2019 at 1:00 p.m.** at City Hall in the City Council Chamber.

I have also attached a contact list for sign makers, business cards for newspaper contacts and a sample certification template.

Feel free to contact me if you need more information.

**PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL**



OFFICE OF COUNCIL SERVICES

**Jennifer L. Coates**

*Senior Legislative Policy Analyst  
Office of Council Services*

100 N. Holliday Street, Room 415  
Baltimore, MD 21202

[jennifer.coates@baltimorecity.gov](mailto:jennifer.coates@baltimorecity.gov)

Office: (410) 396-1260

Fax: (410) 545-7596

### Confidentiality Notice:

This e-mail, including any attachment(s), is intended for receipt and use by the intended addressee(s), and may contain legal or other confidential and privileged information. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail is strictly prohibited, and requested to delete this communication and its attachment(s) without making any copies thereof and to contact the sender of this e-mail immediately. Nothing contained in the body and/or header of this e-mail is intended as a signature or intended to bind the addressor or any person represented by the addressor to the terms of any agreement that may be the subject of this e-mail or its attachment(s), except where such intent is expressly indicated.



## Coates, Jennifer

---

**Full Name:** Afro American  
**Last Name:** American  
**First Name:** Afro  
  
**Business:** (410) 554-8251  
  
**E-mail:** TRobinson@afro.com  
**E-mail Display As:** TRobinson@afro.com



## Coates, Jennifer

---

**Full Name:** Michele Griesbauer  
**Last Name:** Griesbauer  
**First Name:** Michele  
**Company:** Sunpaper - Advertising

**Business Address:** <http://ts.merlinone.com/scripts/foxisapi.dll/sur.x.go?WHkI8OI--1>

**Business:** (410) 332-6381  
**Business Fax:** (410) 783-2507

**E-mail:** mgriesbauer@baltsun.com  
**E-mail Display As:** Sunpaper - Advertising (mgriesbauer@baltsun.com)

Monday, June 09, 2014 4:07 PM:  
Michele Wharton 410-332-6522

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## **Coates, Jennifer**

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**Full Name:** Darlene Miller

**Last Name:** Miller

**First Name:** Darlene

**Company:** Daily Record

**Business Address:** 443-524-8188 Direct, Line  
United States of America

**Business Fax:** (410) 752-5469

**E-mail:** legalad@thedailyrecord.com

**E-mail Display As:** Darlene Miller - Daily Record (legalads@thedailyrecord.com)



**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**TO:** STT, Inc. c/o Melvin J. Kodenski, Esquire

**FROM:** Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,  
Baltimore City Council

**Date:** April 16, 2019

**RE:** INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – MAP AMENDMENTS  
(REZONINGS); PLANNED UNIT DEVELOPMENTS

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

**Bill:** City Council Bill No. 19-0322

**Date:** Wednesday, May 22, 2019

**Time:** 1:00 p.m.

**Place:** City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

**Article 32. Zoning § 5-601 – Map or Text Amendments; PUDs**

For helpful information about the notice requirements under Article 32 - Zoning (pages 127 – 128) see Attachment B. You are encouraged to access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

**Disclaimer.** The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising from your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers



## Newspaper Advertisement

A notice of the public hearing must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

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

## Wording for Written Notice to Property Owner(s), Sign Posting and Newspaper Advertisement

The information that must be published in a newspaper advertisement, posted on a sign and mailed to the property owner appears between the double lines on the attached page (*See Attachment A*); the deadline date is indicated in BOLD letters at the top of Attachment A.

## Certification of Postings

Certification of the written notice, sign posting on the property, and publication of the newspaper advertisement, in duplicate, must be sent four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary  
Baltimore City Council  
100 N. Holliday Street, Fourth Floor, Room 400  
Baltimore, MD 21202

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant. **The deadline dates are as follows:**

***Newspaper Ad Must Be Published By:***

***May 7, 2019***

***Sign Must Be Posted By:***

***April 22, 2019***

***Written Notice to Property Owners By:***

***May 7, 2019***

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff  
Baltimore City Council,  
Land Use and Transportation Committee  
410-396-1260  
[Jennifer.Coates@baltimorecity.gov](mailto:Jennifer.Coates@baltimorecity.gov).

**ATTACHMENT A**

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE  
**POSTED ON A SIGN BY APRIL 22, 2019 AND PUBLISHED BY MAY 7, 2019, AS**  
DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

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**BALTIMORE CITY COUNCIL**  
**PUBLIC HEARING ON BILL NO. 19-0322**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, May 22, 2019 at 1:00 p.m. in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0322.

**CC 19-0322 ORDINANCE - Rezoning – 1818 East Pratt Street**

FOR the purpose of changing the zoning for 1818 East Pratt Street (Block 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to the C-1 Zoning District.

BY amending

Article 32 - Zoning  
Zoning District Map  
Sheet 57  
Baltimore City Revised Code  
(Edition 2000)

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

Applicant: STT, Inc.

For more information, contact committee staff at (410) 396-1260.

EDWARD REISINGER

Chair

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**SEND CERTIFICATION OF  
PUBLICATION TO:**

Baltimore City Council  
c/o Natawna B. Austin  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**SEND BILL FOR THIS  
ADVERTISEMENT TO:**

Mr. Melvin J. Kodenski, Esquire  
320 North Charles Street  
Baltimore, MD 21202  
410-685-5100

**ZONING  
SUBTITLE 6 – NOTICES**

**ARTICLE 32, § 5-601**

**§ 5-601. Map or text amendments; PUDs.**

**(a) Hearing required.**

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation or modification of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be reviewed.

**(b) Notice of hearing required.**

Notice of the hearing must be given by each of the following methods, as applicable:

- (1) by publication in a newspaper of general circulation in the City;
- (2) for the creation or modification of a planned unit development and for a zoning map amendment, other than a comprehensive rezoning:
  - (i) by posting in a conspicuous place on the subject property; and
  - (ii) by first-class mailing of a written notice, 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; and
- (3) for a comprehensive rezoning:
  - (i) by posting in conspicuous places within and around the perimeter of the subject area or district, as the Department of Planning designates; and
  - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of property within the subject area or district.

**(c) Contents of notice.**

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed rezoning; and
- (3) the name of the applicant.

(d) Number and manner of posted notices.

(1) For a zoning map amendment or the creation or modification of a planned unit development, the number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) for a comprehensive rezoning, a change in the boundaries of a zoning district, or the creation or modification of a planned unit development, at least 2 or more signs are required, as the Department of Planning designates;
- (iii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;
- (iv) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and
- (v) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) Timing of notices – In general.

The notice must be published, mailed, and, except as provided in subsection (f) of this section, posted:

- (1) at least 15 days before the public hearing; or
- (2) for a comprehensive rezoning, at least 30 days before the public hearing.

(f) Timing of notices – Posting for map amendment or PUDs.

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice must be:

- (1) posted at least 30 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.



**THE NOTICE OF HEARING SIGN(S) MUST BE POSTED IN ACCORDANCE WITH ARTICLE 32; SECTION 5-601 (See Attachment B), WHICH CAN ALSO BE OBTAINED FROM THE FOLLOWING WEBSITE:**

**<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>**

**SIGNS MAY BE OBTAINED FROM A VENDOR OF YOUR CHOICE OR ANY OF THOSE LISTED BELOW:**

RICHARD HOFFMAN  
904 DELLWOOD DRIVE  
BALTIMORE, MARYLAND 21047  
PHONE: (443) 243-7360  
E-MAIL: DICK\_E@COMCAST.NET

---

JAMES EARL REID  
LA GRANDE VISION  
5517 HADDON AVENUE  
BALTIMORE, MARYLAND 21207  
PHONE: (443) 722-2552  
E-MAIL: [JamesEarlReid@aol.com](mailto:JamesEarlReid@aol.com) or [JamesEarlReid@aim.com](mailto:JamesEarlReid@aim.com)

---

SIGNS BY ANTHONY  
ANTHONY L. GREENE  
2815 TODKILL TRACE  
EDGEWOOD, MD 21040  
PHONE: 443-866-8717  
FAX: 410-676-5446  
E-MAIL: bones\_malone@comcast.net

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LINDA O'KEEFE  
523 PENNY LANE  
HUNT VALLEY, MD 21030  
PHONE: 410-666-5366  
CELL: 443-604-6431  
E-MAIL: LUCKYLINDA1954@YAHOO.COM

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**This office is not associated with any of the above drafting companies, nor do we recommend any specific one.**

**Disclaimer.** The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers



**CITY OF BALTIMORE  
COUNCIL BILL 19-0322  
(First Reader)**

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Introduced by: Councilmember Sneed

At the request of: STT, Inc.

Address: c/o Melvin J. Kodenski, Esquire, 320 North Charles Street, Baltimore, Maryland  
21201

Telephone: 410-685-5100

Introduced and read first time: January 14, 2019

Assigned to: Land Use and Transportation Committee

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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 – 1818 East Pratt Street**

3 FOR the purpose of changing the zoning for the property known as 1818 East Pratt Street (Block  
4 1745, Lot 026), as outlined in red on the accompanying plat, from the R-8 Zoning District to  
5 the C-1 Zoning District.

6 BY amending

7 Article 32 - Zoning  
8 Zoning District Map  
9 Sheet 57  
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 57 of the Zoning District Map is amended by changing from the R-8 Zoning District to the  
14 C-1 Zoning District the property known as 1818 East Pratt Street (Block 1745, Lot 026), as  
15 outlined in red on the plat accompanying this Ordinance.

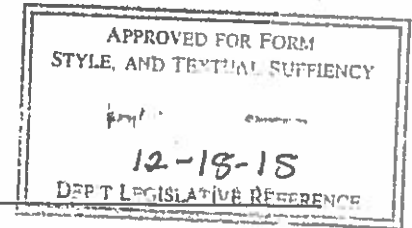
16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
17 accompanying plat and in order to give notice to the agencies that administer the City Zoning  
18 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council  
19 shall sign 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.



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



Introduced by: Councilmember Sneed

At the request of: STT, Inc.

Address: c/o Melvin J. Kodenski, Esquire, 320 North Charles Street, Baltimore, Maryland  
21201

Telephone: 410-685-5100

A BILL ENTITLED

AN ORDINANCE concerning

**Rezoning – 1818 East Pratt Street**

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BY amending

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(Edition 2000)

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**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 the 30<sup>th</sup> day after the date it 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.









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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. Agency:**

(a) The applicant is X 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 stockholders of any corporation, are as follows (use additional sheet if necessary): \_\_\_\_\_

The applicant is acting as an agent for  
the property owner, ~~Abu~~ Subhi Abu-Khdeir.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**AFFIDAVIT**

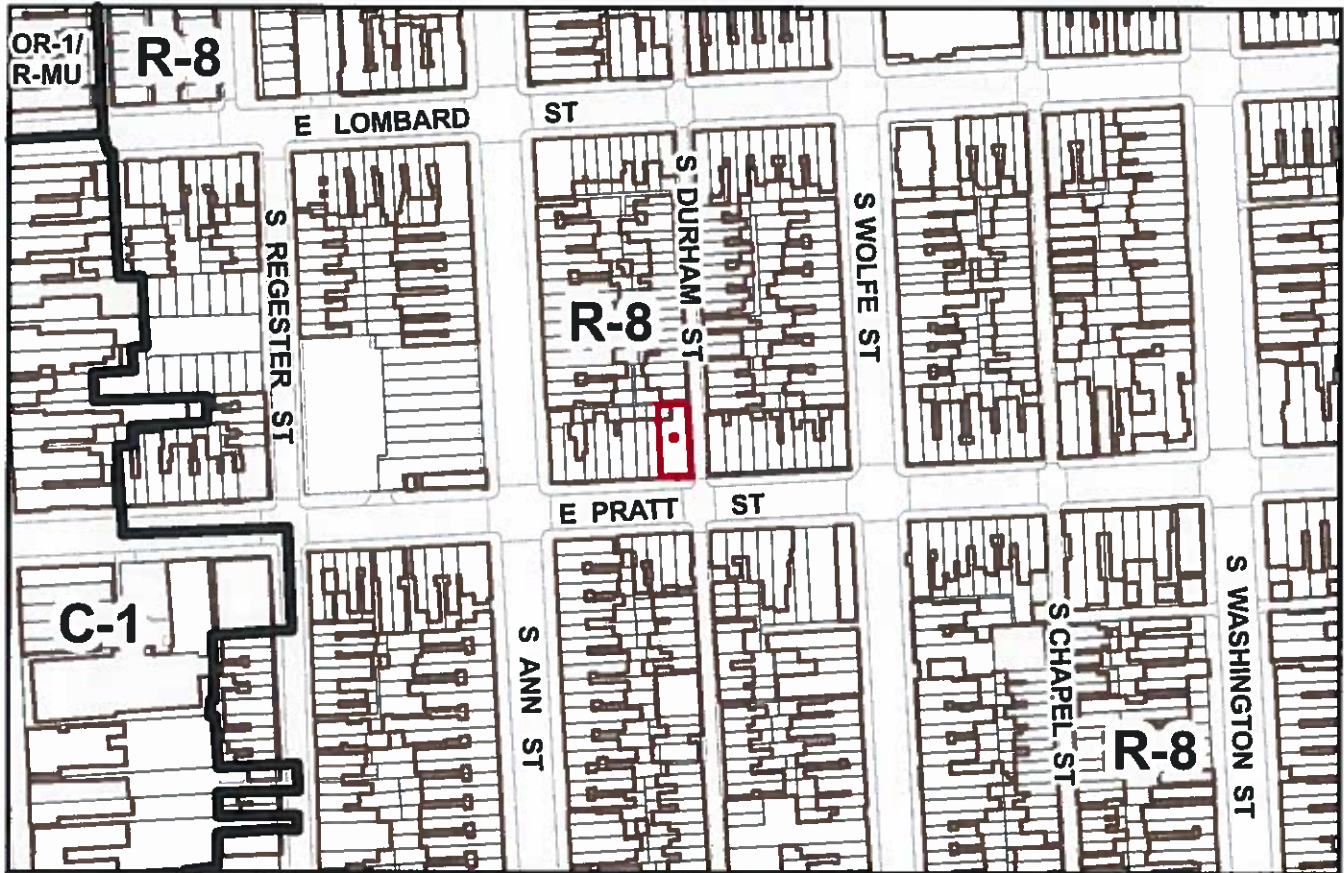
I, Michael Egbay, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

  
Applicant's signature

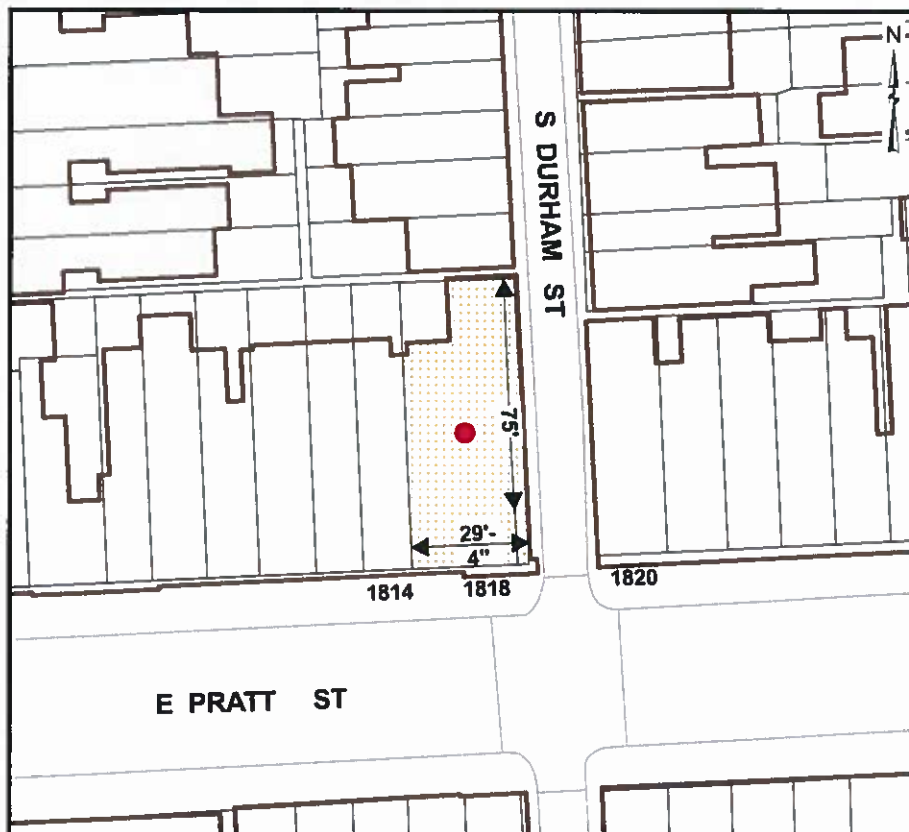
12/10/18  
Date



**SHEET NO. 57 OF THE ZONING MAP OF  
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



**Note:**

In Connection With The Property Known As No. 1818 EAST PRATT STREET. The Applicant Wishes To Request The Rezoning Of The Aforementioned Property From R-8 Zoning to C-1 Zoning, As Outlined In Red Above.

WARD 2

SECTION 2

BLOCK 1745

LOT 26

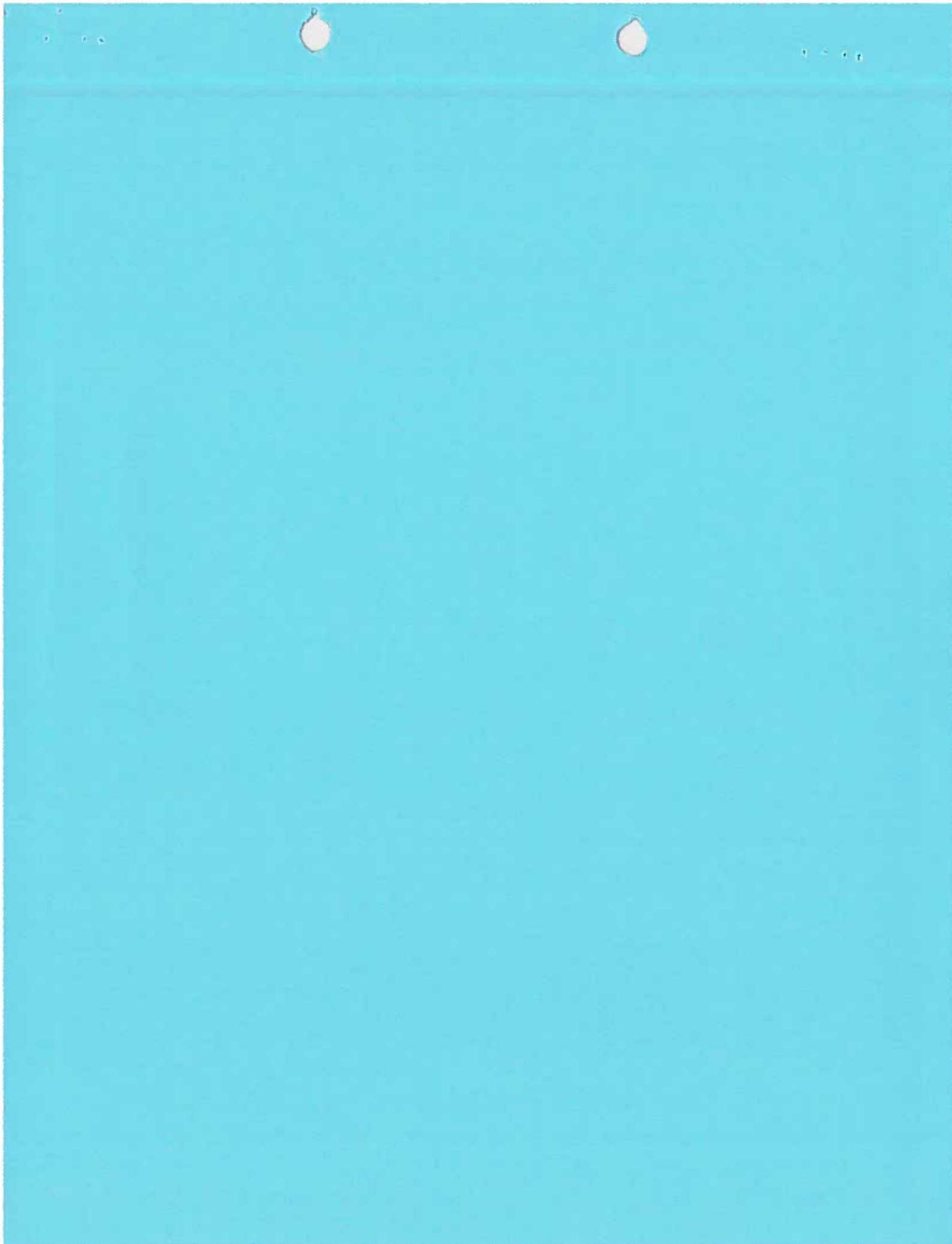
MAYOR

PRESIDENT CITY COUNCIL

20



21



# ACTION BY THE CITY COUNCIL

JAN 14 2019

FIRST READING (INTRODUCTION) \_\_\_\_\_ 20 \_\_\_\_\_

PUBLIC HEARING HELD ON May 22, & June 12, \_\_\_\_\_ 20 19

COMMITTEE REPORT AS OF June 17, \_\_\_\_\_ 20 19

☒ FAVORABLE \_\_\_\_\_ UNFAVORABLE \_\_\_\_\_ FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

Edward Reese  
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:

JUN 17 2019

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

THIRD READING \_\_\_\_\_ JUN 24 2019

\_\_\_\_\_ 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