



BILL SYNOPSIS

Committee: Land Use

Bill: 20-0539

Rezoning - 555 Dundalk Avenue and Block 6694, Lot 142

Sponsor: Councilmember Cohen

Introduced: June 15, 2020

Purpose:

For the purpose of changing the zoning for the properties known as 555 Dundalk Avenue (Block 6694, Lot 141) and Block 6694, Lot 142, as outlined in blue on the accompanying plat, from the I-1 Zoning District to the IMU-2 Zoning District; and providing for a special effective date.

Effective: The date it is enacted

Agency Reports

Planning Commission	Favorable with Amendment
Board of Municipal and Zoning Appeals	
Department of Transportation	
City Solicitor	Favorable with Comments
Department of Housing and Community Development	
Baltimore Development Corporation	No Objection

Analysis

Current Law

Article 32 – Zoning, Zoning District Map Sheets 59 and 60. Baltimore City Revised Code (Edition 2000).

Under § 5-508(b)(1) of Article 32 – Zoning, and the State Land Use Article, the City Council may approve a rezoning based on a finding that there was either:

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

Background

The bill would change the zoning for the properties known as 555 Dundalk Avenue (Block 6694, Lot 141) and Block 6694, Lot 142 from the I-1 Zoning District to the IMU-2 Zoning District. The properties comprise approximately 25,900 square feet or .572 acres, and are located at the Northwest corner of Dundalk Avenue and Gusryan Street.

The property was initially developed in 1947 as the Circle Drive-in Restaurant. That use existed on the site until at least the late 1990s. In 2000, the property obtained a Use and Occupancy permit to operate as an ice cream parlor, and in 2003 obtained an approval to additionally operate as a carry-out restaurant. In 2008, the property obtained a permit to operate as a used car dealership with outdoor display, and operated as such until recently.

The subject properties are located within the Pulaski Industrial Area, which is an irregularly shaped area comprised of primarily industrial uses near the I-95 corridor at the eastern City/County line. The zoning of the adjacent parcel to the north and west is also I-1. The zoning to the east across Gusryan Street is I-2; the zoning to the south across Dundalk Avenue is C-4; and several properties nearby to the east are zoned C-2. The nearest residential neighborhood is Bayview to the north of Eastern Avenue.

Prior to the adoption of the Transform Baltimore comprehensive rezoning, the subject parcels, along with the majority of properties fronting on Eastern Avenue and Dundalk Avenue in the vicinity, were zoned B-2-3. During the rezoning process, the subject properties along with the abutting parcel, known as 6223 Eastern Avenue, were rezoned to the new I-1 zoning district. The neighboring property is owned and operated by the federal government for use as a post office, and so is exempt from any local zoning ordinances.

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

Current Zoning District – I-1

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

Proposed Zoning District – IMU-2 (Ordinance as Drafted)

The IMU Industrial Mixed-Use Zoning Districts are intended to encourage the reuse of older industrial buildings for light industrial use, as well as a variety of non-industrial uses. These older industrial buildings are often surrounded by residential and other non-industrial uses, though in many cases they are also transition zones between a heavy industrial area and a major road or a less intense use or district. The IMU-2 District is generally for industrial buildings that are adjacent to heavier industry, port uses, highways, or truck routes and not residential areas. This district is intended to protect industrial land and truck routes from pressures of residential uses.

Proposed Zoning District – C-4 (Planning Commission Amendment)

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

Amendments

The Planning Commission proposed an amendment to change the zoning for the properties from the I-1 Zoning District to the C-4 Zoning District instead of the IMU-2 Zoning District.

Additional Information

Fiscal Note: Not Available

Information Source(s): Reporting Agencies, Statement of Intent, Bill 20-0539.

Analysis by: Matthew Peters

Direct Inquiries to: 410-396-1268

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