



MEMORANDUM

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

From: Alice Kennedy, Acting Housing Commissioner *AK*

Date: February 4, 2021

Re: City Council Bill 21-0006 Rezoning - 407 Benninghaus Road

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 21-0006 for the purpose of changing the zoning for the property known as 407 Benninghaus Road (Block 5014C, Lot 004A), as outlined in red on the accompanying plat, from the R-3 Zoning District to the OR-1 Zoning District.

If enacted, City Council Bill 21-0006 would rezone the property located at 407 Benninghaus Road from the R-3 Zoning District to the OR-1 Zoning District. This legislation would enable the petitioner, Govmoco, LLC, to demolish the existing structure in order to redevelop it for use as a surface parking lot, which is not currently a permitted use in the R-3 Zoning District.

At its regular meeting of January 15, 2021, the Planning Commission concurred with the recommendations of its Planning Staff, who recommended disapproval and instead moved to adopt the facts offered by the applicant, which provided evidence of a zoning mistake and instead recommended approval of City Council Bill 21-0006

Planning Staff noted in their report that this action is not in the public's interest and may be construed as spot zoning, which is done in order to achieve a specific outcome. Staff further noted they do not believe that there was a mistake in the prior or current zoning for this property, nor has there been a significant change that would invalidate the current zoning designation.

DHCD **does not object** to the passage of City Council Bill 21-0006.

AK/sm

cc: Ms. Themelis, Nina, *Mayor's Office of Government Relations*