



**BALTIMORE CITY COUNCIL
COMMITTEE ON ECONOMIC AND COMMUNITY
DEVELOPMENT**

Mission Statement

On behalf of the Citizens of Baltimore City, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

The Honorable Sharon Green Middleton

PUBLIC HEARING

May 11, 2021

2:00 PM

Virtual Webex Meeting

City Council Bill #21-0025

**Rezoning - 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400,
and 2500 Broening Highway and Block 6916, Lot 015**

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Staff: Richard Krummerich



BILL SYNOPSIS

Committee: Economic and Community Development

Bill: 21-0025

Rezoning - 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, and 2500 Broening Highway and Block 6916, Lot 015

Sponsor: Councilmember Cohen

Introduced: January 25, 2021

Purpose:

For the purpose of changing the zoning for the properties known as 2200 (Block 6916, Lot 003), 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the properties known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat, from the I-2 Zoning District to the MI Zoning District.

Effective: The 30th day after it is enacted.

Agency Reports

Planning Commission	Favorable/Amendment
Board of Municipal Zoning Appeals	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable
Department of Housing and Community Development	No Objection

Analysis

Current Law

Article 32 – Zoning; Zoning District Map; sheets 79 and 80; Baltimore City 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 zoning for 11 properties (130 acres) along Broening Highway as follows:

From the Office Industrial Campus (OIC) to Maritime Industrial (MI) Zoning District

- 2200 (Block 6916, Lot 003)
- 2220 (Block 6916, Lot 004)
- 2300 (Block 6916, Lot 005)
- 2310 (Block 6916, Lot 007)
- 2330 (Block 6916, Lots 010A and 009)
- 2400 (Block 6916, Lot 011)
- 2500 (Block 6916, Lot 013)
- Block 6916, Lot 015

From the Industrial 2 (I-2) Zoning District to Maritime Industrial (MI) Zoning District

- 2205 (Block 6915, Lot 001)
- 2301 (Block 6915, Lot 006)
- 2501 (Block 6915, Lot 009A)

The 130-acre site is located in the Point Breeze section of the Canton Industrial Area and Holabird Industrial Park. The area is bounded by Keith Avenue, Seagirt Marine Terminal and Colgate Creek. Broening Highway passes through the area.

Maryland Port Administration (MPA), Rukert Terminal and the Maryland Transportation Authority own the properties. MPA has requested the rezoning. The proposed rezoning will allow for expansion of the terminal to be able to handle increasing amounts of cargo entering Seagirt Marine Terminal.

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

Current Zoning District – I-2

The I-2 General Industrial Zoning District is intended to provide for a wide variety of general manufacturing, fabricating, processing, wholesale distributing, and warehousing uses. General industrial uses include fabrication, warehousing and assembly-type manufacturing, which may result in some moderate external effects, such as smoke, noise, glare, or vibration, and typically include outdoor storage and related outdoor activities. Commercial uses and outdoor storage of materials are allowed.

Current Zoning District – OIC

The OIC Office-Industrial Campus Zoning District is intended for developments of large office structures, research and development facilities, and light industrial uses. The OIC District standards are intended for architecturally coordinated office and industrial structures built in a campus-like atmosphere.

Proposed Zoning District – MI

The MI Maritime Industrial Zoning District is intended to ensure the preservation of deep water frontage of the Port of Baltimore for maritime industrial uses by delineating an area where maritime shipping and maritime industrial uses can be conducted without the intrusion of non-industrial uses and where investment in maritime infrastructure is encouraged. The nature of these activities may result in external effects, such as smoke, noise, glare, or vibration, and typically include outdoor storage and related outdoor activities

Amendment

The Department of Planning recommended the bill be amended to remove one (2201 Broening Highway) of the properties and to revise the plat to show the correct properties being rezoned. The amendment is attached.

Additional Information

Fiscal Note: Not Available

Information Source(s): Bill 21-0025 and Article 32 – Zoning, `Reporting Agencies, Statement of Intent,


Analysis by: Jennifer L. Coates
Analysis Date: May 6, 2021

Direct Inquiries to: 410-396-1260

**COMMITTEE ON
ECONOMIC AND COMMUNITY DEVELOPMENT**

**21-0025
AGENCY REPORTS**

Planning Commission	Favorable/Amendment
Board of Municipal and Zoning Appeals	Defers to Planning
Department of Transportation	No Objection
City Solicitor	Favorable
Department of Housing and Community Development	Does Not Object
Baltimore Development Corporation	No Objection

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #21-0025 / REZONING - 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, AND 2500 BROENING HIGHWAY AND BLOCK 6916, LOT 015		

TO

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

DATE: February 26, 2021

At its regular meeting of February 25, 2021, the Planning Commission considered City Council Bill #21-0025, for the purpose of changing the zoning for the properties known as 2200 (Block 6916, Lot 003), 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the properties known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat, from the I-2 Zoning District to the MI Zoning District.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #21-0025 and adopted the following resolution seven members being present (seven in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #21-0025 be amended and passed by the City Council, with the following amendments:

- Remove 2201 Broening Highway and Block 6874A, Lot 10 from the plat
- Add 2501 Broening Highway to the bill title

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: Ms. Natasha Mehu, Mayor's Office
 Ms. Nina Themelis, Mayor's Office
 The Honorable Eric Costello, Council Rep. to Planning Commission
 Mr. Matthew Stegman, City Council President's Office
 Ms. Nikki Thompson, City Council President's Office
 Mr. Colin Tarbert, BDC
 Ms. Kathleen Byrne, BMZA
 Mr. Geoffrey Veale, Zoning Administration
 Ms. Stephanie Murdock, DHCD
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Mr. Liam Davis, DOT
 Ms. Natawna Austin, Council Services
 Mr. Dominic McAlily, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

February 21, 2021

REQUEST: City Council Bill #21-0025/ Rezoning – 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, and 2500 Broening Highway and Block 6916, Lot 15:

For the purpose of changing the zoning for the properties known as 2200 (Block 6916, Lot 003), 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the properties known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat, from the I-2 Zoning District to the MI Zoning District.

RECOMMENDATION: Adopt Findings; Amend and Approve:

- Remove 2201 Broening Highway and Block 6874A, Lot 10 from the plat
- Add 2501 Broening Highway to the bill title

STAFF: Matthew DeSantis, AICP

PETITIONERS: Councilmember Zeke Cohen, at the request of Maryland Department of Transportation, Maryland Port Administration

OWNERS: State of Maryland and Rukert Riverview, LLC

SITE/GENERAL AREA

Site Conditions: There are eleven parcels subject to this proposed rezoning that are currently used for a variety of uses, including warehousing, business/governmental office, and outdoor storage. Broening Highway runs through the center of the area, with Colgate Creek, Keith Avenue, and the Seagirt Marine Terminal creating the approximate boundaries.

General Area: This rezoning is within the Point Breeze section of the Canton Industrial Area and Holabird Industrial Park, which is dominated by the Maryland Port Administration and related port uses. The nearest residential neighborhood is St. Helena across Colgate Creek.

BACKGROUND

This rezoning bill has been brought by the Maryland Port Administration with the intention of expanding maritime cargo handling and terminal operations at Seagirt Marine Terminal. The overall extent of the eleven parcels pending rezoning is a total of approximately 130 acres, and includes three property owners: Maryland Port Administration, Rukert Terminals Corporation, and the Maryland Transportation Authority.

In 2017, the Maryland Port Administration acquired the Point Breeze Business Center in order to handle the increasing amount of cargo entering the Seagirt Marine Terminal. The current OIC (Office Industrial Campus), however, does not permit the “Waterfreight Terminal” use, hence the requested rezoning to permit for the long-planned expansion of the facility. The I-2 zoning district does permit this use, but the intent is to comprehensively rezone all of these newly-acquired parcels to the MI district since the Maryland Port Administration intends to use these parcels for maritime industrial use as well.

CONFORMITY TO PLANS

The proposed action would be consistent with the following aspects of LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore City:

- Earn Goal 1: Strengthen Identified Growth Sectors,
 - Objective 8: Retain and Attract Port-Related Services

Additionally, the parcels on the east side of Broening Highway are within the 2005 Southeastern Neighborhoods Development (SEND) Plan. The plan doesn’t specify future zoning designations or propose recommendations for the port specifically, so this rezoning would not be in conflict with this adopted plan. The plan does, however, emphasize the importance of controlling industrial truck traffic through and around residential areas, and so this emphasis will be all the more important if the Port sees additional cargo volumes that drive additional truck traffic in the area.

ANALYSIS

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 where staff finds that this change is in the public's interest, in that it will provide for the continued expansion of the Maryland Port Administration.

Maryland Land Use Code – Requirements for Rezoning:

The Maryland Land Use Code requires the Planning Commission to study the proposed changes in relation to: 1. The plan; 2. The needs of Baltimore City; and 3. The needs of the particular neighborhood in the vicinity of the proposed changes (*cf.* Md. LAND USE Code Ann. 2012, §10-305). In reviewing this request, the staff finds that:

- 1. The Plan:** The proposed action would support goals contained in the Comprehensive Master Plan for Baltimore City, *Earn Goal 1: Strengthen Identified Growth Sectors, Objective 8: Retain and Attract Port-Related Services*. It is also not inconsistent with the Southeastern Neighborhoods Development Plan.
- 2. The needs of Baltimore City:** The success of the Port of Baltimore is tied very directly to the success of the entire City. This rezoning will allow for the Port to expand cargo terminal operations which will provide benefit to the City through increased commerce and job opportunities.
- 3. The needs of the particular neighborhood:** The zoning change will support the needs of the neighborhood, which is dedicated almost exclusively to Port-related activities by allowing the Port to grow its operations to accommodate the continued growth in cargo shipments.

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 have not been significant population changes in the immediate vicinity of this comprehensive rezoning between the passage of the last comprehensive rezoning in 2016 and the present time. This area has historically been industrial/port-related in nature.
- 2. The availability of public facilities;** This site is well-served by public services and utilities and should remain so into the future. The presence of deep water is a unique attribute that is best taken advantage of through expanded port operations.
- 3. Present and future transportation patterns;** There would be no effect upon present or future transportation patterns in the area as a result of adoption of this bill. The continued monitoring and enforcement of truck traffic prohibitions through nearby residential neighborhoods will be even more important with the likely increase in port cargo volume.

4. **Compatibility with existing and proposed development for the area;** The proposed zoning district is compatible with the existing and proposed development for the area, and is essential for the planned expansion of the Port.
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 approval of the rezoning request to the Planning Commission. The BMZA will comment separately on this bill.
6. **The relation of the proposed amendment to the City's plan.** As noted previously, rezoning of these properties to the IMU-2 zoning district would be consistent with 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;**
Existing uses of property within the general area of this site are industrial and industrial maritime.
- (ii) **the zoning classification of other property within the general area of the property in question;** MI zoning would serve as an extension of the existing MI zoning of the adjacent Seagirt Marine Terminal.
- (iii) **the suitability of the property in question for the uses permitted under its existing zoning classification; and,** The OIC zoning district does not permit the Waterfreight Terminal use, and so is inconsistent with the proposed expansion of the Seagirt Marine Terminal.
- (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.** Since the passage of Transform and the current zoning categories having been assigned, the Maryland Port Administration has purchased the subject properties for the expansion of port operations.

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. Planning staff consider the fact that the Maryland Port Administration has acquired the Point Breeze Business Center for the expansion of cargo handling operations as constituting a significant change in the character of the neighborhood.

Notification: The St. Helena Community Association has been notified of this action. Additionally, the area has been posted in compliance with Planning Commission requirements.



Chris Ryer
Director

CITY OF BALTIMORE

BRANDON M. SCOTT, Mayor



BOARD OF MUNICIPAL AND
ZONING APPEALS

417 E. Fayette Street, Suite 922
Baltimore, Maryland 21202

May 6, 2021

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

Re: CC Bill #21-00025 – Zoning – Rezoning - 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, and 2500 Broening Highway and Block 6916, Lot 015

Ladies and Gentlemen:

City Council Bill No. 21-0025 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.


The purpose of City Council Bill No. 21-0025 is to change the zoning from OIC Zoning District to MI Zoning District for the properties known as 2200 (Block 6916, Lot 003), 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011), 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015. The BMZA is deferring its recommendation on the legislation to that of the report and recommendation of the Planning Commission.

Sincerely,

Kathleen Byrne

Kathleen Byrne
Acting Executive Director

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

F R O M	NAME & TITLE	Steve Sharkey, 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 21-0025		

TO: Mayor Brandon M. Scott
TO: Economic & Community Development Committee
FROM: Department of Transportation
POSITION: **No Objection**
RE: Council Resolution – 21-0025

DATE: 3/29/21

INTRODUCTION – Rezoning - 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, and 2500 Broening Highway and Block 6916, Lot 015

PURPOSE/PLANS – For the purpose of changing the zoning for the properties known as 2200 (Block 6916, Lot 003), 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the properties known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat, from the I-2 Zoning District to the MI Zoning District.

COMMENTS – Council Bill 21-0025 looks to rezone multiple parcels adjacent to the Broening Highway corridor to the Maritime Industrial Zoning District. The properties were recently acquired by the Maryland Port Administration, a subsidiary agency of the Maryland Department of Transportation. Upon being rezoned, the properties would then allow to be utilized for expanded port operations.

AGENCY/DEPARTMENT POSITION – The Department of Transportation foresees no direct fiscal or operational impact on the agency resulting from the advancement of Council Bill 21-0025. The Department of Transportation has **no objection** to Council Bill 21-0025.

If you have any questions, please do not hesitate to contact Liam Davis at Liam.Davis@baltimorecity.gov or at 410-545-3207.

Sincerely,

Steve Sharkey
Director

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

JAMES L. SHEA
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

May 3, 2021

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 21-0025 - Rezoning – 2200, 2205, 2220, 2300, 2301, 2310, 2330,
2400, and 2500 Broening Highway and Block 6916, Lot 015

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 21-0025 for form and legal sufficiency. The bill changes the zoning for the property known as 2200 (Block 6916, Lot 003), 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the properties known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat, from the I-2 Zoning District to the MI Zoning District.

The City Council may permit the proposed 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); Baltimore City Code, Art. 32, §§5-508(a) and (b)(1).

In determining whether the proposed rezoning meets either standard, the City Council is required to make findings of fact on the following matters: (1) population change; (2) the availability of public facilities; (3) the present and future transportation patterns; (4) compatibility with existing and proposed development; (5) the recommendations of the Planning Commission and the Board of Municipal and Zoning Appeals; and (6) the relationship of the proposed amendment to the City's plan. Md. Land Use Code Ann., §10-304(b)(1); see also, Baltimore City Code, Art. 32, §5-508(b)(2) (citing same factors with (v) being "the recommendations of the City agencies and officials," and (vi) being "the proposed amendment's consistency with the City's Comprehensive Master Plan.").

Furthermore, the City Council is required to consider: (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. Baltimore City Code, Art. 32, §5-508(b)(3).

The Planning Department reviewed these standards in its report dated February 26, 2021 (“Report”). The Report provides facts that are required to be reviewed and considered by §§ 10-304 and 5-508 of City Code Article 32. It also concluded that a substantial change in the neighborhood supports the rezoning. Report, p. 4. This conclusion, however, needs additional facts to augment the record before the rezoning can be declared lawful, a matter that the Law Department has discussed with the Planning Department during its review of the bill.

Provided supplemental facts are provided at the public hearing and the City Council finds facts identical or similar to those provided in the Report and at the public hearing, the Law Department is prepared to approve the bill for form and sufficiency.

Sincerely,

Victor K. Tervala

Victor K. Tervala
Chief Solicitor

cc: James L. Shea, City Solicitor
Nina Themelis, Mayor’s Office of Government Relations
Nikki Thompson, Director of Legislative Affairs
Matthew Stegman, Director of Fiscal and Legislative Services
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor



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: April 5, 2021

Re: City Council Bill 21-0025 – Rezoning – 2200, 2205, 2220, 2300, 2301, 2310 2330, 2400, and 2500 Broening Highway and Block 6916, Lot 015

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 21-0025 for the purpose of changing the zoning for the properties known as 2200 (Block 6916, Lot 003), 220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011), and 2500 (Block 6916, Lot 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the properties known as 220 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat, from the I-1 Zoning District to the MI Zoning District.

If enacted, City Council Bill 21-0025 would rezone the above-mentioned properties to the MI Zoning District to allow the Maryland Port Administration (MPA) to proceed with the expansion of its facilities and permit their use as a “Waterfreight Terminal”. This rezoning would allow the MPA to expand maritime cargo handling and terminal operations at Seagirt Marine Terminal which would include additional warehousing, maritime related office space, and government services.

At its regular meeting of February 25, 2021, the Planning Commission concurred with its planning staff and recommended amendment and approval of the Bill. The Planning Commission recommended an amendment to remove 2201 Broening Highway and Block 6874A, Lot 10 from the plat, and to add 2501 Broening Highway to the bill title.

This rezoning is in the public’s interest, in that it will provide for the continued expansion of cargo handling operations of the Maryland Port Administration and may benefit the City through increased commerce and job opportunities.

DHCD **does not object** to the passage of City Council Bill 21-0025.

AK/sm

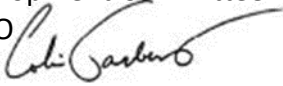
cc: Ms. Themelis, Nina, *Mayor’s Office of Government Relations*

Brandon M. Scott, Mayor • Alice Kennedy, Acting Housing Commissioner

417 East Fayette Street • Baltimore, MD 21202 • 443-984-5757 • dhcd.baltimorecity.gov



MEMORANDUM

DATE: February 23, 2021
TO: Economic and Community Development Committee
FROM: Colin Tarbert, President and CEO 
POSITION: Support
SUBJECT: City Council Bill No. 21-0025
Rezoning – 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, 2500 Broening Highway and Block 6916, Lot 015

INTRODUCTION

The Baltimore Development Corporation (BDC) has been asked to respond to City Council Bill No. 21-0025 introduced by Councilmember Cohen.

PURPOSE

The purpose of this Bill is to change the zoning of the properties known as 2200, 2205, 2220, 2300, 2301, 2310, 2330, 2400, 2500 Broening Highway and Block 6916, Lot 015 from the OIC and I-2 zoning districts to the MI zoning district.

BRIEF HISTORY

This section of Broening Highway is home to a variety of industrial and maritime uses. The parcels in question were recently acquired by the Maryland Port Administration for the purpose of expanding maritime cargo handling, marine terminal warehousing, and to facilitate related office/government uses. This rezoning will allow all the contiguous land owned by the Maryland Port Administration to fall under the same zoning classification, which will eliminate unanticipated obstacles to the future development and use of expanded port facilities.

FISCAL IMPACT

None

AGENCY POSITION

BDC **supports** City Council Bill No. 21-0025.

If you have any questions, please do not hesitate to contact Kimberly Clark at kclark@baltimoredevelopment.com or at 410-837-9305.

[LC]

CITY OF BALTIMORE
COUNCIL BILL 21-0025
(First Reader)

Introduced by: Councilmember Cohen

At the request of: Maryland Department of Transportation Maryland Port Administration

Address: c/o William P. Doyle, 401 East Pratt Street, Suite 2000, Baltimore, Maryland 21202

Telephone: 410-385-4401

Introduced and read first time: January 25, 2021

Assigned to: Economic and Community Development Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rezoning – 2200, 2205, 2220, 2300, 2301, 2310,**
3 **2330, 2400, and 2500 Broening Highway and Block 6916, Lot 015**

4 FOR the purpose of changing the zoning for the properties known as 2200 (Block 6916, Lot 003),
5 2220 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330
6 (Block 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot
7 013) Broening Highway and Block 6916, Lot 015, as outlined in red on the accompanying
8 plat, from the OIC Zoning District to the MI Zoning District; and changing the zoning for the
9 properties known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501
10 (Block 6915, Lot 009A) Broening Highway, as outlined in blue on the accompanying plat,
11 from the I-2 Zoning District to the MI Zoning District.

12 BY amending

13 Article 32- Zoning
14 Zoning District Map
15 Sheets 79 and 80
16 Baltimore City Revised Code
17 (Edition 2000)

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
19 Sheets 79 and 80 of the Zoning District Map are amended by changing from the OIC Zoning
20 District to the MI Zoning District the properties known as 2200 (Block 6916, Lot 003), 2220
21 (Block 6916, Lot 004), 2300 (Block 6916, Lot 005), 2310 (Block 6916, Lot 007), 2330 (Block
22 6916, Lots 010A and 009), 2400 (Block 6916, Lot 011, and 2500 (Block 6916, Lot 013)
23 Broening Highway, and Block 6916, Lot 015 , as outlined in red on the plat accompanying this
24 Ordinance; and by changing from the I-2 Zoning District to the MI Zoning District the properties
25 known as 2205 (Block 6915, Lot 001), 2301 (Block 6915, Lot 006), and 2501 (Block 6915, Lot
26 009A) Broening Highway, as outlined in blue on the plat accompanying this Ordinance.

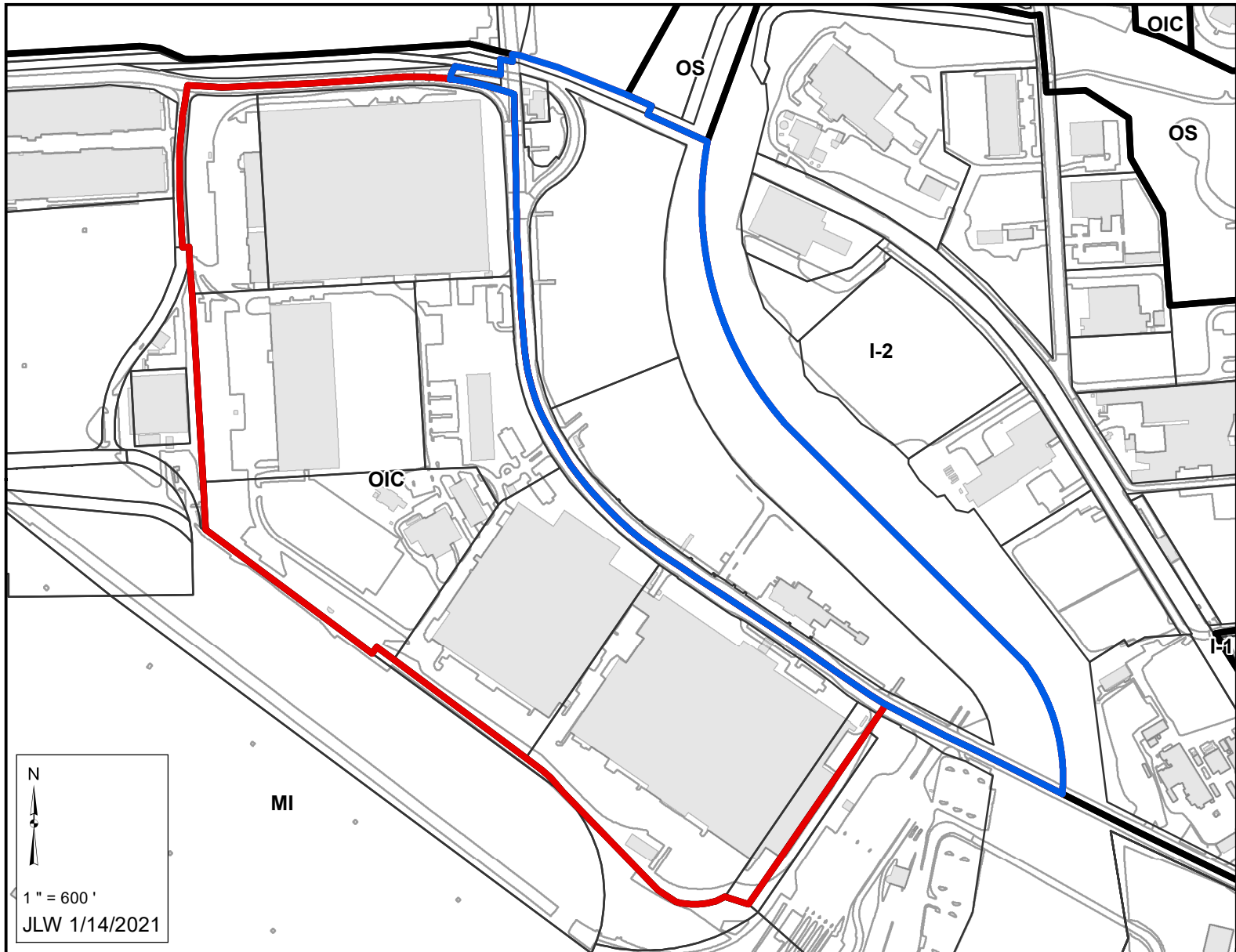
EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 21-0025

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

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

SHEET NO. 79 & 80 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



In connection with the properties known as 2200, 2220, 2300, 2310, 2330, 2400, and 2500 Broening Highway and 6916 015 The City of Baltimore wishes to request the rezoning of the aforementioned properties from OIC zoning to MI zoning, as outlined in red above.

WARD	26	SECTION	10
Block 6916	Lot 003	Block 6916	Lot 010A
Block 6916	Lot 004	Block 6916	Lot 012A
Block 6916	Lot 005	Block 6916	Lot 014A
Block 6916	Lot 007	Block 6916	Lot 015

MAYOR

In connection with the properties known as 2205, 2301, and 2501 Broening Highway The City of Baltimore wishes to request the rezoning of the aforementioned properties from I-2 zoning to MI zoning, as outlined in blue above.

WARD	26	SECTION	10
Block 6916	Lot 001		
Block 6916	Lot 006		
Block 6916	Lot 009A		

PRESIDENT, CITY COUNCIL

COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

Bill 21-0025

Amendments

**AMENDMENTS TO COUNCIL BILL 21-0025
(1st Reader Copy)**

By: Planning Commission

{To be offered to the Economic and Community Development Committee}

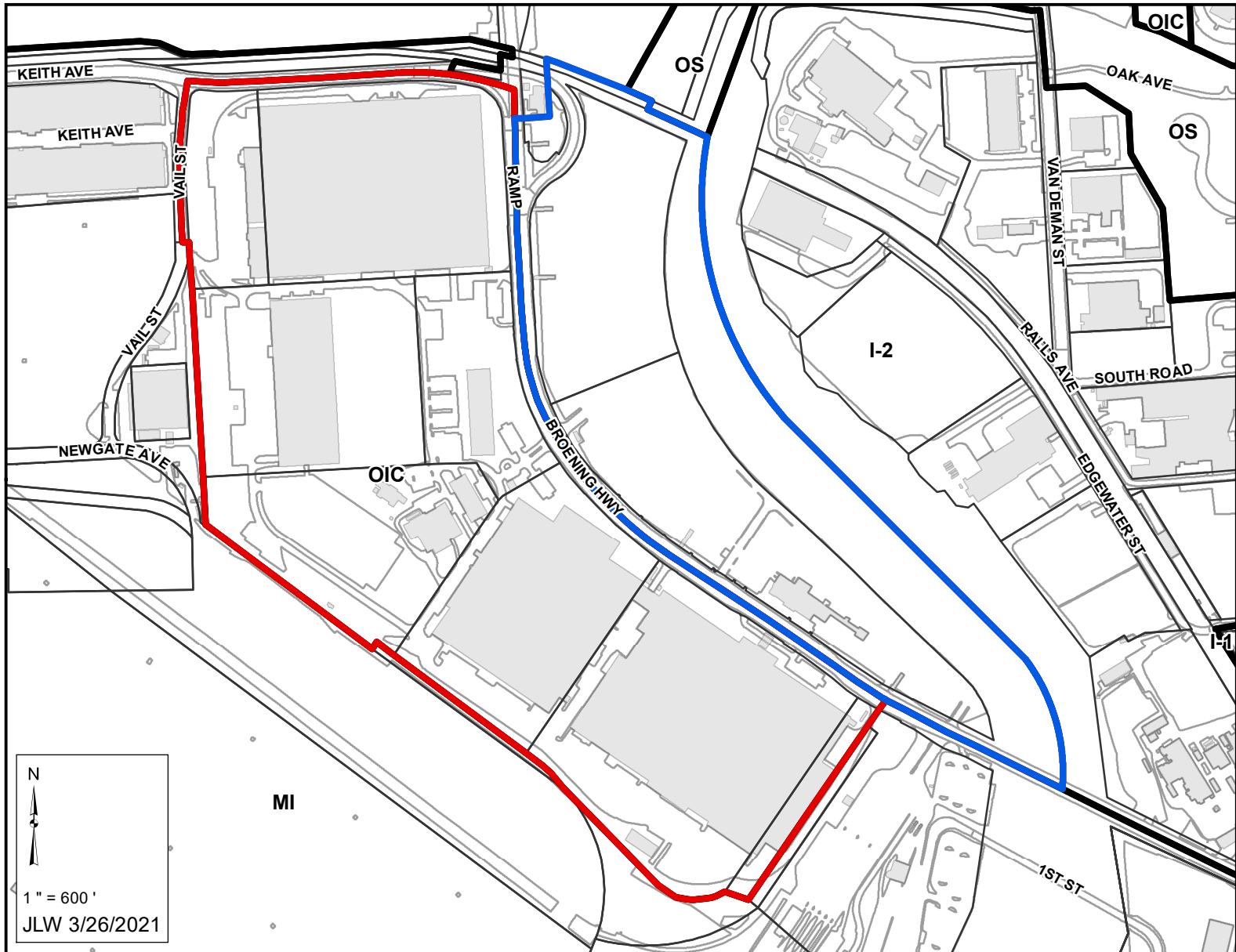
Amendment No. 1

On page 1, in line 3, strike the first “and”; and, on that same page, in that same line, after “2500” insert “, and 2501”.

Amendment No. 2

On page 1, in line 8, after the comma, in line 10, after the second comma, and in line 24, after “Ordinance”, respectively, insert, “dated March 26, 2021,”; and, on that same page, in line 26, after “Ordinance”, insert, “dated March 26, 2021”.

SHEET NO. 70 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



In connection with the properties known as 2200, 2220, 2300, 2310, 2330, 2400, and 2500 Broening Highway and 6916 015 The City of Baltimore wishes to request the rezoning of the aforementioned properties from OIC zoning to MI zoning, as outlined in red above.

In connection with the properties known as 2205, 2301, and 2501 Broening Highway The City of Baltimore wishes to request the rezoning of the aforementioned properties from I-2 zoning to MI zoning, as outlined in blue above.

WARD 26	SECTION 10
Block 6916 Lot 003	Block 6916 Lot 010A
Block 6916 Lot 004	Block 6916 Lot 012A
Block 6916 Lot 005	Block 6916 Lot 014A
Block 6916 Lot 007	Block 6916 Lot 015

WARD 26	SECTION 10
Block 6916	Lot 001
Block 6916	Lot 006
Block 6916	Lot 009A

MAYOR

PRESIDENT, CITY COUNCIL

COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

Bill 21-0045

Communications



February 8, 2021

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*Mobilizing people
to invest in
greater Dundalk's
neighborhoods,
economy, and
quality of life.*

Councilmember Zeke Cohen
1st District, Baltimore City Council
100 N. Holliday St - STE 522
Baltimore, Maryland 21202

Dear Councilman Cohen:

On behalf of the Board of Directors of Dundalk Renaissance, we are writing to urge you to support the request of the Maryland Port Administration, Rukert Terminals, and Maryland Transportation Authority to rezone the Point Breeze Business Center and adjacent parcels as part of efforts to enhance the Seagirt Marine Terminal.

Dundalk Renaissance is a non-profit, 501 c-3 community development organization dedicated to revitalizing the greater Dundalk area. For nearly 20 years we have been engaging residents, businesses, and other stakeholders to create solutions that enhance Dundalk's neighborhoods, economy, and quality of life. The proposed rezoning request is aligned with our goals:

- The rezoning and enhancements planned for these parcels will increase efficiency, allow for further increases in volume that are better accommodated on site, and lead to more well-paid jobs in our area.
- Planned electrification of terminal operations, combined with double-stacking of containers once the Howard Street Tunnel modifications are complete, will divert more of the increase volume to rail and help reduce truck emissions.
- While truck traffic remains a concern in our area, the planned improvements should improve how trucks enter and exit the terminal from Keith Avenue and Broening Highway, reducing congestion.
- The properties in question are also buffered from immediate neighborhood impacts by Colgate Creek.

The Port of Baltimore is a critical economic engine in our region, and rezoning and planned enhancements with help further their, and our community's, success. Please feel free to contact our Executive Director, Amy Menzer, with any questions at amy@dundalkusa.org or 410 282-0261 x 104

Sincerely,

Dan Dawes
President

Amy Menzer
Executive Director