

Introduced by: Councilmembers Reisinger and Costello

At the request of: Topgolf USA Baltimore, LLC

Address: c/o Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18th Floor,
Baltimore, Maryland 21202

Telephone: 410-528-5510

Prepared by: Department of Legislative Reference

Date: July 17, 2019

Referred to: LAND USE AND Committee

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

CITY COUNCIL R. - 0420

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Signage Variances –
1411 Warner Street and 301 Stockholm Street**

E. V. Costello
Edward H. Reisinger

FOR the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

BY authority of

Article 32 - Zoning

Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306 (C-5-DC)), and 17-404

Baltimore City Revised Code
(Edition 2000)

****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

Agencies	Boards and Commissions
<input checked="" type="checkbox"/> Baltimore City Public School System	<input type="checkbox"/> Environmental Control Board
<input checked="" type="checkbox"/> Baltimore Development Corporation	<input type="checkbox"/> Fire & Police Employees' Retirement System
<input checked="" type="checkbox"/> City Solicitor	<input type="checkbox"/> Labor Commissioner
<input type="checkbox"/> Controller's Office	<input type="checkbox"/> Parking Authority Board
<input type="checkbox"/> Department of Audits	<input checked="" type="checkbox"/> Planning Commission
<input checked="" type="checkbox"/> Department of Finance	<input type="checkbox"/> Wage Commission
<input type="checkbox"/> Department of General Services	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Department of Housing and Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Department of Human Resources	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Department of Planning	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Office of the Mayor	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Police Department	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Mayor's Office of Information Technology	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Mayor's Office of Human Services	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Mayor's Office of Employment Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Department	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Fire Department	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> Department of Transportation	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Department of Recreation and Parks	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Department of Real Estate	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Department of Public Works	<input type="checkbox"/> Other: _____

CITY OF BALTIMORE
ORDINANCE **19-302**
Council Bill 19-0420

Introduced by: Councilmembers Reisinger and Costello

At the request of: Topgolf USA Baltimore, LLC

Address: c/o Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18th Floor,
Baltimore, Maryland 21202

Telephone: 410-528-5510

Introduced and read first time: July 22, 2019

Assigned to: Land Use Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: September 9, 2019

AN ORDINANCE CONCERNING

**Zoning – Signage Variances –
1411 Warner Street and 301 Stockholm Street**

1
2
3 FOR the purpose of granting variances from certain signage regulations for the establishment of
4 signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301
5 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red
6 on the accompanying plat.

7 BY authority of

8 Article 32 - Zoning

9 Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306
10 (C-5-DC)), and 17-404

11 Baltimore City Revised Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
14 pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 17-404 of Article 32 - Zoning,
15 permission is granted for a variance from the canopy sign height regulation of 2 feet, as specified
16 in § 17-404, to permit a canopy sign with a height of 3.5 feet, designated as Sign 1 on the plan
17 entitled "Signage Plan", dated March 7, 2019.

18 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
19 201(a), 5-305(a), and 17-404 of Article 32 - Zoning, permission is granted for a variance from
20 the canopy sign width regulation of 80% of the width of the canopy, as specified in § 17-
21 404(b)(6), to permit a canopy sign with a width of 89% of the width of the canopy, designated as
22 Sign 1 on the Signage Plan.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
24 201(a), 5-305(a), and 17-404 of Article 32 - Zoning, permission is granted for a variance from

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 19-0420

1 the canopy sign height regulation of 2 feet, as specified in § 17-201 (Table 17-201: Sign
2 Regulations), to permit a canopy sign with a height of ~~19.3~~ 20.33 feet, designated as Sign 2 on
3 the Signage Plan.

4 **SECTION 4. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
5 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
6 variance from the canopy sign area regulation of 111.76 square feet, being 2 feet multiplied by
7 55.88 feet in canopy width, as specified in § 17-201 (Table 17-201: Sign Regulations), to permit
8 a canopy sign with an area of 418.2 square feet, designated as Sign 2 on the Signage Plan.

9 **SECTION 5. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
10 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
11 variance from the freestanding pylon sign height regulation of 20 feet, as specified in § 17-201
12 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with a height of 77 feet,
13 designated as Sign 11 on the Signage Plan.

14 **SECTION 6. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
15 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
16 variance from the freestanding pylon sign area regulation of 50 feet, as specified in § 17-201
17 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with an area of 640.2
18 square feet, designated as Sign 11 on the Signage Plan.

19 **SECTION 7. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
20 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
21 variance from the freestanding pylon sign width regulation of 6 feet, as specified in § 17-201
22 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with a width of 41.5 square
23 feet, designated as Sign 11 on the Signage Plan.

24 **SECTION 8. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
25 201(a), 5-305(a), and 17-306 (Table 17-306) of Article 32 - Zoning, permission is granted for a
26 variance from the regulation of the maximum cumulative area of 1,200 square feet of signs
27 permitted on a lot, as specified in § 17-306 (Table 17-306: Sign Regulations) to permit a
28 maximum cumulative area of signs of ~~3,487.73~~ 3,766.09 square feet on the lot.

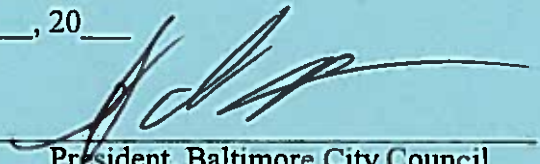
29 **SECTION 9. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
30 accompanying plat and in order to give notice to the agencies that administer the City Zoning
31 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
32 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
33 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
34 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
35 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
36 the Zoning Administrator.

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

Council Bill 19-0420

SEP 23 2019

Certified as duly passed this _____ day of _____, 20____



President, Baltimore City Council

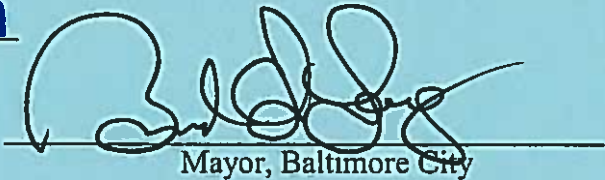
Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____ SEP 23 2019



Chief Clerk

Approved this 30th day of Sept., 2019



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 26th Day of September 2019
Vicki I. Reed
Chief Solicitor



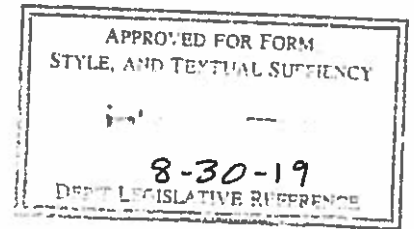
SEP 1951

1951

APPROVED FOR RELEASE BY THE NATIONAL ARCHIVES
REF ID: A66301

CONFIDENTIAL

AMENDMENTS TO COUNCIL BILL 19-0420
(1st Reader Copy)



By: Land Use Committee

Amendment No. 1

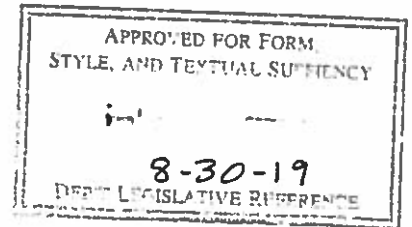
On page 2, in line 22, strike “square”.

Amendment No. 2

On page 2, in line 2, strike “19.3” and substitute “20.33”; and, on the same page, in line 28, strike “3,487.73” and substitute “3,766.09”.

ADOPTED

AMENDMENTS TO COUNCIL BILL 19-0420
(1st Reader Copy)



By: Land Use Committee

Amendment No. 1

On page 2, in line 22, strike “square”.

Amendment No. 2

On page 2, in line 2, strike “19.3” and substitute “20.33”; and, on the same page, in line 28, strike “3,487.73” and substitute “3,766.09”.

ADOPTED

**BALTIMORE CITY COUNCIL
LAND USE COMMITTEE
VOTING RECORD**

DATE: August 28, 2019

BILL#: 19-0420

BILL TITLE: Zoning - Signage Variances - 1411 Warner Street and 301
Stockholm Street

MOTION BY: Coates SECONDED BY: Stokes

- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, Shannon - Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert				
TOTALS	<u>7</u>	<u>1</u>		

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC



LAND USE COMMITTEE

FINDINGS OF FACT FOR VARIANCE

City Council Bill No. 19-0420

MOTION OF THE CHAIR OF THE LAND USE COMMITTEE: AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO THE APPLICABLE SECTIONS OF ARTICLE 32 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING ANY VARIANCES OF APPLICABLE STANDARDS FOR THE PROPERTY LOCATED AT:

1411 WARNER STREET AND 301 STOCKHOLM STREET

(IN SECTION 1 FOR SIGN 1 – HEIGHT OF CANOPY SIGN)

(Use a separate Variance form for each Variance sought in the bill)

THRESHOLD QUESTION:

- In accordance with Section 5-305(c), it has been determined that there is no written decision by the Board of Municipal and Zoning Appeals on an application for this same subject matter.*

HARDSHIP OR PRACTICAL DIFFICULTY:

The City Council has considered at least one of the following:
(check all that apply to evidence consideration)

- The physical surroundings around the **STRUCTURE / LAND** involved;
(underline one)
- The shape of the **STRUCTURE / LAND** involved;
(underline one)
- The topographical conditions of the **STRUCTURE / LAND** involved.
(underline one)

and finds either that:

- (1) An unnecessary hardship **WOULD / WOULD NOT** exist if the strict letter of the applicable
(underline one)
requirement from which the variance is sought were applied because:

or that:

- (2) Practical difficulty **WOULD / WOULD NOT** exist if the strict letter of the applicable

(underline one)
requirement from which the variance is sought were applied because:

The Property is bounded to the south by Ridgley's Cove and the Horseshoe Casino parking garage, to the east by the MTA light rail right-of-way and I-395, to the north by Stockholm Street and the CSX railway right-of-way, and to the west by Warner Street, a low-traffic street that extends only five blocks.

The Property is secluded and difficult to locate, particular for those visiting from out of town, imposing practical difficulty for any business located on the site. An entertainment destination such as Topgolf relies on signage as a crucial tool for both brand identification and, of critical importance, wayfinding. The signage that would be permitted by-right under the Zoning Code would not adequately identify the Topgolf brand and direct visitors to the Property.

Regarding the proposed variance in Section 1 of the bill for Sign 1, the canopy logo sign is a key element of Topgolf's international brand, and what will make Topgolf recognizable to visitors in the Warner Street entertainment corridor.

Other findings:

- (1) The conditions on which the application is based are unique to the property for which the variance is sought are not general applicable to other property within the same zoning classification.*

The Property is atypical for the C-5-DC (Downtown Core) zoning district. A typical property in the C-5-DC zoning district would be a large-scale building in the Central Business District on a dense street grid, with no adjacent highways. As compared to other C-5-DC properties, the isolated nature of the Property and the adjacency to the highway is unique. The atypical nature of the Property, compared to other C-5-DC properties, applies to the proposed variance in Section 1 for Sign 1.

- (2) The unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property.*

The hardship is caused by the isolation of the Property amplified by the C-5-DC zoning provisions. The hardship is not caused by the applicant. These site conditions are applicable to the proposed variance in Section 1 for Sign 1.

- (3) The purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property.*

The variances are proposed to provide the Property with visibility, not merely to increase the value or income potential of the Property. Visibility is an issue for the Property as a whole, and thus applies to the proposed variance for in Section 1 for Sign 1.

- (4) The variance will not (i) be injurious to the use and enjoyment of the other property in the immediate vicinity, or (ii) substantially diminish and impair property values within the neighborhood.*

The Property is located in Carroll-Camden, a historically industrial community. There are no residences in the immediate vicinity, and the neighborhood character is largely transitioning from industrial to a

commercial entertainment district, both organically and pursuant to the City’s plans for an entertainment district. The signs proposed by these variances align with this transitioning neighborhood character, and do not impair property values in the neighborhood. The neighborhood character and potential impact on property values is applicable to the proposed variance in Section 1 for Sign 1.

(5) The variance is in harmony with the purpose and intent of the zoning code.

In accordance with Section 2-101 of the Zoning Code, among the goals of the zoning code are “to preserve and enhance the value of structures, communities, and neighborhoods,” and “to preserve, protect, and promote the City’s employment base.” The signage variances allow for visibility of the Topgolf brand, enhancing the value of the Property. Furthermore, Topgolf is expected to create over 400 jobs, enhancing the City’s employment base. The variances do not otherwise conflict with the provisions of the Zoning Code. This analysis applies to the proposed variance in Section 1 for Sign 1.

(6) The variance is not precluded by and will not adversely affect any Urban Renewal Plan, the City’s Comprehensive Master Plan or any Historic and Architectural Preservation District.

The Property is located within the Carroll-Camden Urban Renewal Plan (URP) area. The URP was first established in 2002. Although modest amendments have been made to the URP to accommodate the planned Warner Street entertainment corridor, the URP is still largely industrial in nature and does not contemplate commercial signage of the scale required for this site. Accordingly, in accordance with Appendix A of the URP, a waiver will be requested from the Commissioner of Housing and Community Development to resolve any potential conflicts between the proposed signage package and the provisions of the URP. The requested variances do not conflict with the City’s Comprehensive Master Plan, and the Property is not located in any Historic and Architectural Preservation District. This analysis applies to the proposed variance in Section 1 for Sign 1.

(7) The variance will not otherwise (i) be detrimental to or endanger the public health, safety, or welfare; or (ii) be in any way contrary to the public interest.

The proposed signage variance in Section 1 for Sign 1 does not implicate public health, safety, or welfare in any way. It is not contrary to the public interest. The proposed sign simply allows for branding identification and location of the Topgolf site in a constrained location.

SOURCE OF FINDINGS:

(check all that apply)

Planning Report:

- Mr. Chris Ryer, Director, Department of Planning – Memorandum – Dated: August 23, 2019;
- Department of Planning – Staff Report – Dated: August 22, 2019

Testimony presented at the Committee hearing:

Oral – Witnesses Names:

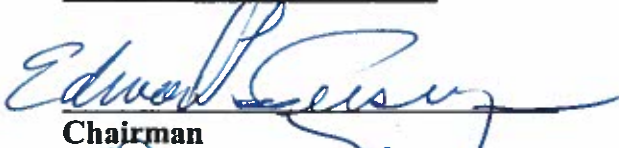
- Ms. Alyssa Domzal, Esquire, Ballard Spahr, LLP

- Ms. Tamara Woods, Department of Planning

Written – Authors Names: Ms. Alyssa Domzal, Esquire, Ballard Spahr, LLP

Handout entitled City Council Bill 19-0420; Topgolf – Signage Variances: (Findings of Fact – DMEAST #38670252 v1)

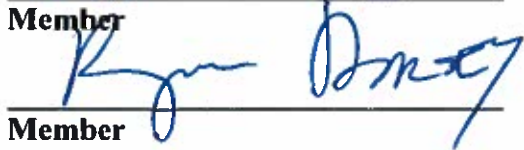
LAND USE COMMITTEE:



Chairman



Member



Member

Member



Member



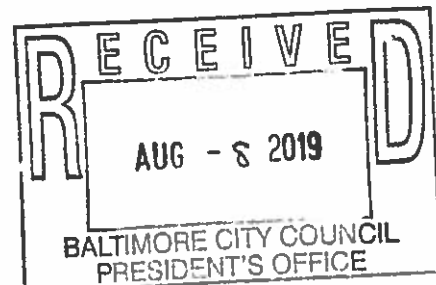
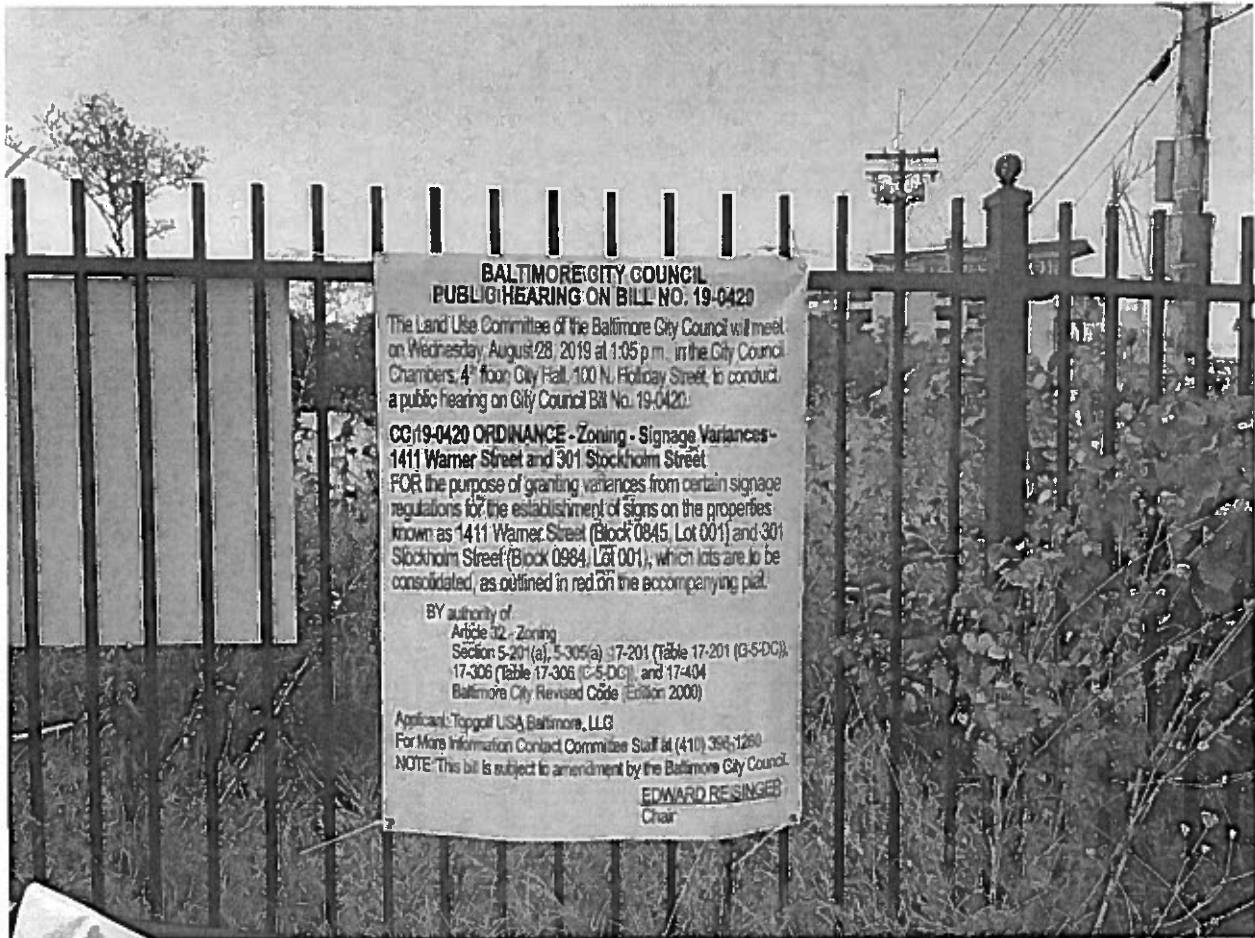
Member

Member

Member

Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0420

Today's Date: 8/08/2019



- Email to: 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

CITY OF BALTIMORE

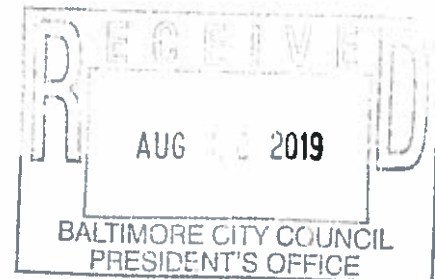
BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

August 20, 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 19-0420 – Zoning– Sign Variances– 1411 Warner Street
and 301 Stockholm Street

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0420 for form and legal sufficiency. The bill would authorize eight separate variances in dimensions for three signs (two canopy/awning signs and one freestanding pylon) from the Zoning Code's existing dimension requirements. The properties on which these signs will sit in the C-5-DC zoning district are to be consolidated and thus, there is a final variance for the maximum cumulative sign area for a lot included in the bill.

A bill can seek variances for signage so long as it does not seek to change the maximum quantity, location or types of signs allowed in the Zoning District. City Code, Art. 32, §5-301. The changes sought in this bill are appropriate for a variance. An ordinance can authorize any major variances, which these would be because they are not listed as a minor variance. City Code, Art. 32, §§ 5-201(a)(1); 5-302(c). In order to grant these eight variances City Council must find the following facts to support each of the variances sought:

1. "because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out."
2. "the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification"
3. "the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property"
4. "the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property"

Fav w/ comments

5. "the variance will not: (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or (ii) substantially diminish and impair property values in the neighborhood"
6. the variance is in harmony with the purpose and intent of the zoning code
7. the variance is not precluded by and will not adversely affect any Urban Renewal Plan, the City's Comprehensive Master Plan or any Historical and Architectural Preservation District
8. "the variance will not otherwise: (i) be detrimental to or endanger the public health, safety, or welfare; or (ii) be in any way contrary to the public interest."

City Code, Art. 32, §§ 5-305(a); 5-308. To be clear, the City Council must find 64 separate facts (8 standards for all 8 variances sought).

As there are no legal impediments to this bill, the Law Department approves it for form and legal sufficiency so long as the City Council finds the requisite facts.

Very truly yours,



Hilary Ruley
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Nicholas Blendy, Mayor's Office of Government Relations
Elena DiPietro, Chief Solicitor
Victor Tervalá, Chief Solicitor
Ashlea Brown, Assistant Solicitor



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 #19-0420 / ZONING – SIGNAGE VARIANCES – 1411 WARNER STREET AND 301 STOCKHOLM STREET		

DATE: August 23, 2019

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

At its regular meeting of August 22, 2019, the Planning Commission considered City Council Bill #19-0420, for the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001).

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended amendment and approval of City Council Bill #19-0420 and adopted the following resolution six members being present (six in favor):

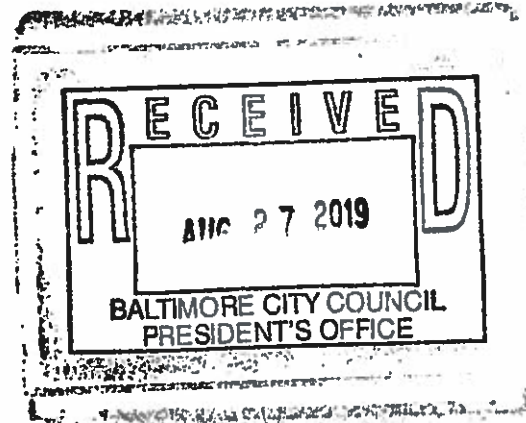
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0420 be amended and passed by the City Council.

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. Nicholas Blendy, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Mr. Bob Pipik, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services
Mr. Dominic McAlily, Council Services
Ms. Alyssa Domzal, Ballard Spahr, LLP



*Fav
with
Amendments*



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*Bernard C. "Jack" Young
Mayor*

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



*Chris Ryer
Director*

August 22, 2019

REQUEST: City Council Bill #19-0420/ Zoning- Signage Variances – 1411 Warner Street and 301 Stockholm Street:

For the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001).

RECOMMENDATION: Amend and Approve

- Amendment: On page 2 line 22 strike the word “square”.

STAFF: Tamara Woods

PETITIONER: Councilmembers Reisinger and Costello

APPLICANT: Topgolf USA Baltimore, LLC

SITE/GENERAL AREA

General Area: This property is located in the western edge of downtown near Russell Street. It is surrounded by Ridgelys Cove, the railroad and Highway I-395.

HISTORY

The site is Mayor and City Council owned and is the former location of the Baltimore Animal Rescue and Care Shelter (BARCS), which is relocating to a new facility in South Baltimore. It is part of the Horseshoe Casino Garage land deal.

ANALYSIS

Project Background

Topgolf is a multi-level venue featuring high-tech gaming, climate-controlled hitting bays, a chef-driven menu, hand-crafted cocktails, music, corporate and social event spaces, and more. Today, Topgolf entertains more than 20 million guests annually at more than 50 venues across the U.S. and internationally. The project, Topgolf’s first in the Baltimore market, is expected to break ground in 2020 and open in 2021, and will ultimately create over 400 new jobs.

Topgolf’s Baltimore location represents the expansion of the South Baltimore Gateway entertainment district, building upon the entertainment anchor of the Horseshoe Casino. In conjunction with the expansion of the entertainment district, Warner Street will undergo streetscaping improvements, reducing vehicular traffic to one lane in each direction, widening the sidewalk for a more inviting pedestrian experience, and adding a two-way cycletrack to connect to the Gwynns Falls Trail.

Current Request

Article 32 expressly allows in § 5-301(b) for variances to signage with the exception of the maximum quantity, location or types of signs within a zoning district. While Article 32 does allow for signage variances and excludes aspects of signage that are not allowed to be varied, there are no variance limits outlined within the code. It is most typical that variance requests go the Board of Municipal and Zoning Appeals (BMZA), per the authority granted by § 5-201(a)(1) a member of the City Council may introduce a proposed ordinance to expressly approve, authorize or amend a major variance. In §5-305(a) the BMZA or City Council, as the case may be, must evaluate the request in accordance with the approval standards outlined in § 5-308.

The developer of the Top Golf facility, has proposed a sign package that would require variances from that which is allowed per the underlying C-5-DC zoning. The variance requests are outlined in the table below:

CCB Section Reference	Sign # on Top Golf Plan	Sign Type	Applicable Sign Title Reference	Variance Type	Requirement Per Zoning	Requested Variance
Section 1	Sign 1	Canopy Sign	17-404(b)(7)	Sign Height	2 feet	3.5 feet
Section 2	Sign 1	Canopy Sign	17-404(b)(6)	Sign Width	80% of width of canopy	89% of width of canopy
Section 3	Sign 2	Canopy Sign	17-404(b)(7)	Sign Height	2 feet	19.3 feet
Section 4	Sign 2	Canopy Sign	Table 17-201	Sign Area	2x width of canopy (111.76 square feet)	418.2 square feet
Section 5	Sign 11	Freestanding Pylon Sign	Table 17-201	Sign Height	20 feet	77 feet
Section 6	Sign 11	Freestanding Pylon Sign	Table 17-201	Sign Area	50 square feet	640.2 square feet
Section 7	Sign 11	Freestanding Pylon Sign	Table 17-201	Sign Width	6 feet	41.5 feet
Section 8	All Signage On a Lot	All Signage	Table 17-306	Maximum Cumulative Area of All Signs	1,200 square feet	3,487.73 square feet

Approval Standards

According § 5-308 of the zoning code, City Council has several approval standards including a required finding of unnecessary hardship or practical difficulty. “In order to grant a variance, the

Zoning Administrator, the Board of Municipal and Zoning Appeals, or the City Council, as the case may be, must find that, because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, an unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.”

In the case of Topgolf, the proposed site is not in the most conspicuous location, especially for a Downtown Core zoned property. It is adjacent to railroad tracks, Ridgleys Cove, a park and the casino parking garage with I-395 in the distance from the rear of the site. There are limited access points to the site given the physical constraints of its surroundings. In addition, many of the properties zoned C-5-DC, which is the core of downtown, are taller buildings that make the downtown skyline. While this property has the zoning of the downtown core, the location and proposed building scale are much lower and keeping with the more industrial and utilitarian nature of the surrounding area. In fact, it is included in the Carroll Camden Urban Renewal Plan, which was originally intended for industrial uses. With the addition of Horseshoe Casio and proximity to M&T Bank Stadium this portion of the URP area is now changing and being revitalized as the Warner Street Entertainment District. For these reasons the amount of variances and in some cases the large variances are necessary to identify the use and provide advertising and identification to a site that is otherwise hard to access.

In addition to the practical difficulty finding mentioned above, there are other required findings listed below:

- (1) the conditions on which the application is based are unique to the property for which the variance is sought and are not generally applicable to other property within the same zoning classification;*
- (2) the unnecessary hardship or practical difficulty is caused by this Code and has not been created by the intentional action or inaction of any person who has a present interest in the property;*
- (3) the purpose of the variance is not based exclusively on a desire to increase the value or income potential of the property;*
- (4) the variance will not:*
 - (i) be injurious to the use and enjoyment of other property in the immediate vicinity; or*
 - (ii) substantially diminish and impair property values in the neighborhood;*
- (5) the variance is in harmony with the purpose and intent of this Code;*
- (6) the variance is not precluded by and will not adversely affect:*
 - (i) any Urban Renewal Plan;*
 - (ii) the City's Comprehensive Master Plan; or*
 - (iii) any Historical and Architectural Preservation District; and*
- (7) the variance will not otherwise:*
 - (i) be detrimental to or endanger the public health, safety, or welfare; or*
 - (ii) be in any way contrary to the public interest.*

To summarize staff's review of the findings of fact, it was found that the site is unique in its location for a downtown zoned property and have locational constraints including access and Ridgleys Cove as a property boundary. In addition, properties with a C-5-DC zoning designation are not typically lower scale buildings with a highway within its site lines. For this reason, the requested scale of variances is very unique to this property. The unnecessary hardship was not created by the applicant of this request. The location of the property is not negotiable and the intent of the types and scale of signage allowed in Article 32 for C-5-DC was not written with this type of parcel or use in mind. The signage being requested is typical for the Topgolf establishment. The variances requested are not detrimental to the public health, safety or welfare or contrary to the public interest.

While the variances requested are not precluded by or will adversely affect the City's Comprehensive Master Plan or a Historic Preservation District, there may be potential conflicts with the signage guidelines of the Carroll Camden Urban Renewal Plan. That being said, the URP is very clear in Appendix A under Period of Compliance that a waiver can be requested and granted from the Commissioner of Housing and Community Development. The developer may need to seek this, if required.


RECOMMENDATION

After reviewing the proposed signage in context with the proposed building and site design and reviewing against the City Council approval standards, staff recommends approval with one amendment. The amendment is to delete the word "square" on page 2 line 22 of the City Council Bill. This particular variance request refers to the width of sign 11 and not the area, so the measurement is in feet, not square feet. Staff would also support a necessary sign waiver to the URP that may result from any of the proposed signage and the variances requested for the three signs subject to this City Council legislation.

Notification: The following stakeholders were notified of this action prior to the hearing: South Baltimore Gateway Partnership, Downtown Partnership, City Councilman Eric Costello and City Councilman Edward Reisinger.



Chris Ryer
Director

FROM	NAME & TITLE	Steve Sharkey, Director	CITY of BALTIMORE	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0420	MEMO	

TO: Mayor Bernard C. "Jack" Young
TO: Land Use Committee
FROM: Department of Transportation
POSITION: No Objection
RE: Council Bill - 19-0420

DATE: 8/20/19

INTRODUCTION - Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

PURPOSE/PLANS - For the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

COMMENTS - Council Bill 19-0420 aims to grant variances allowing for the installation of signage associated with the proposed Topgolf entertainment facility. The proposed Topgolf entertainment facility is slated to be built at the intersection of Warner Street and Stockholm Street within close proximity to the existing Horseshoe Casino. The Department of Transportation does not foresee any fiscal or operation impacts associated with the passage of Council Bill 19-0420.

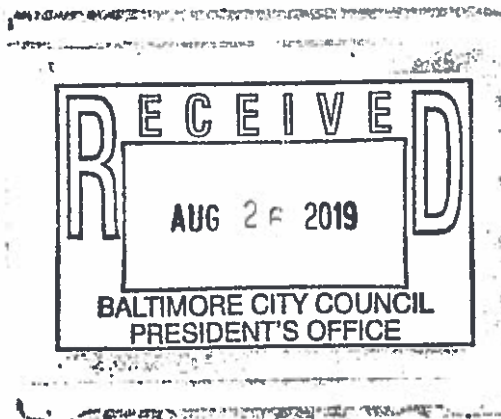
AGENCY/DEPARTMENT POSITION - The Department of Transportation has no objection to City Council Bill 19-0420.

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

Sincerely,



Steve Sharkey
Director



no objection



6000

100

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CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



**BOARD OF MUNICIPAL AND
ZONING APPEALS**

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

August 20, 2019

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

Re: **CC Bill #19-0420 Zoning - Signage Variances - 1411 Warner Street and 301
Stockholm Street**

Ladies and Gentlemen:

City Council Bill No. 19-0420 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

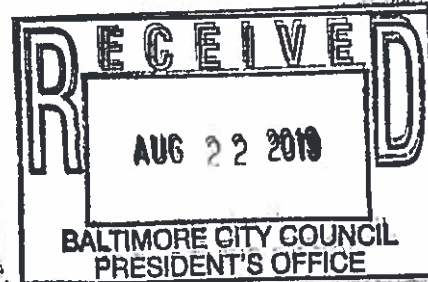
The purpose of City Council Bill No. 19-0420 is to grant variances from certain signage regulations for the establishment of 5 signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 6 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

The BMZA has reviewed the legislation and has no objection to City Council Bill No. 19-0420.

Sincerely,

Derek J. Baumgardner
Executive Director

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



no objection



BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna B. Austin

From: Michael Braverman, Housing Commissioner 

Date: August 28, 2019

Re: **City Council Bill 19-0420: Zoning – Signage Variances – 1411 Warner Street and 301 Stockholm Street**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0420, for the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated.

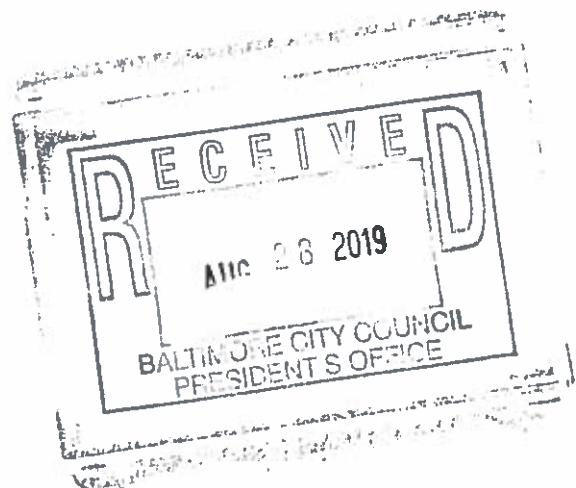
If enacted, this bill would grant zoning variances to allow the applicant to install signage for a proposed golf course on the properties, according to the Signage Plan and Summary Sheet submitted to the City Council.

DHCD has no objection to City Council Bill 19-0420 and defers to the Planning Department.

MB:rfp

Cc:
Mr. Nicholas Blendy, *Mayor's Office of Government Relations*
Mr. Eric Tiso, *Department of Planning*

no
objection
defers
to
Planning
Dept.





MEMORANDUM

DATE: August 1, 2019
 TO: Land Use Committee, Baltimore City Council
 FROM: Colin Tarbert, President and CEO *Colin Tarbert*
 POSITION: Support
 SUBJECT: **City Council Bill No. 19-0420 – Zoning – Signage Variances – 1411 Warner Street and 301 Stockholm Street**

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill No. 19-0420 introduced by Councilmembers Reisinger and Costello at the request of Topgolf USA Baltimore, LLC.

PURPOSE

This Bill will grant variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001).

BRIEF HISTORY

The assembled properties are currently owned by the Mayor & City Council of Baltimore and are subject to an option agreement as part of the Horseshoe Casino Garage Land Disposition Agreement (LDA). BDC is working with Topgolf USA Baltimore, LLC to bring a Topgolf entertainment facility to the properties. If approved, this Bill would authorize a variance to allow the Topgolf project to install larger canopy and freestanding pylon signs.

FISCAL IMPACT

NONE

AGENCY POSITION

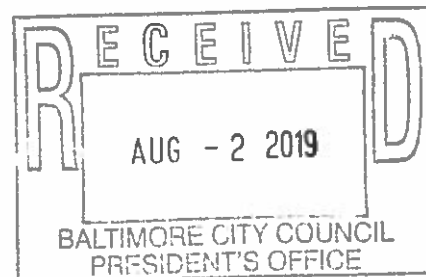
BDC supports City Council Bill No. 19-0420

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

cc: Jeffrey Amoros

[ILK]

Supports



RAC

FROM	NAME & TITLE	Robert Cennamo, Chief	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall		
	SUBJECT	City Council Bill #19-0420: Zoning—Signage Variances— 1411 Warner St & 301 Stockholm St		

DATE:

TO

The Honorable President and
Members of the City Council
Room 400, City Hall

August 22, 2019

The Department of Finance is reporting on City Council Bill #19-0420, introduced for the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street and 301 Stockholm Street.

Background

This bill will grant the properties the right to install larger canopy and freestanding pylon signs than current regulations allow.

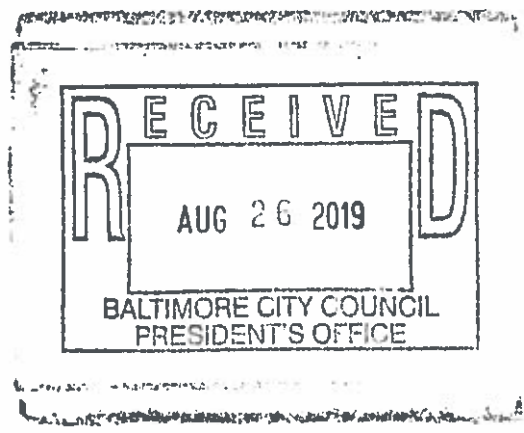
Fiscal Impact

There is no fiscal impact of granting variances from the current signage regulations.

Conclusion

The Department of Finance does not object to City Council 19-0420.

cc: Henry Raymond
Nicholas Blendy



*No
objection*



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**City Council Bill #19-0420/ Zoning-
Signage Variances -
1411 Warner Street and 301 Stockholm Street**

ITEM #10

August 22, 2019



Received
8-28-19 JLC

TAMARA WOODS

Baltimore City Department of Planning

CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Request: City Council Bill #19-0420/ Zoning- Signage Variances – 1411 Warner Street and 301 Stockholm Street:

For the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001).

Staff: Tamarra Woods

Petitioners: Councilmembers Reisinger and Costello on behalf of Topgolf USA Baltimore, LLC

Owner : Mayor and City Council

Planning District: Southern

Comprehensive Planner: Brenton Flickinger



CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Plat Map

SHEET NO. 65 OF THE ZONING DISTRICT MAP OF THE BALTIMORE CITY ZONING CODE



In connection with the properties known as 1411 Warner Street and 301 Stockholm Street. The applicant is requesting certain variances for signage on the aforementioned properties, as outlined in red above.

- Ward 21 Section 90 Block 0845 Lots 001
- Ward 23 Section 70 Block 0864 Lots 001

Mayor _____

President, City Council _____

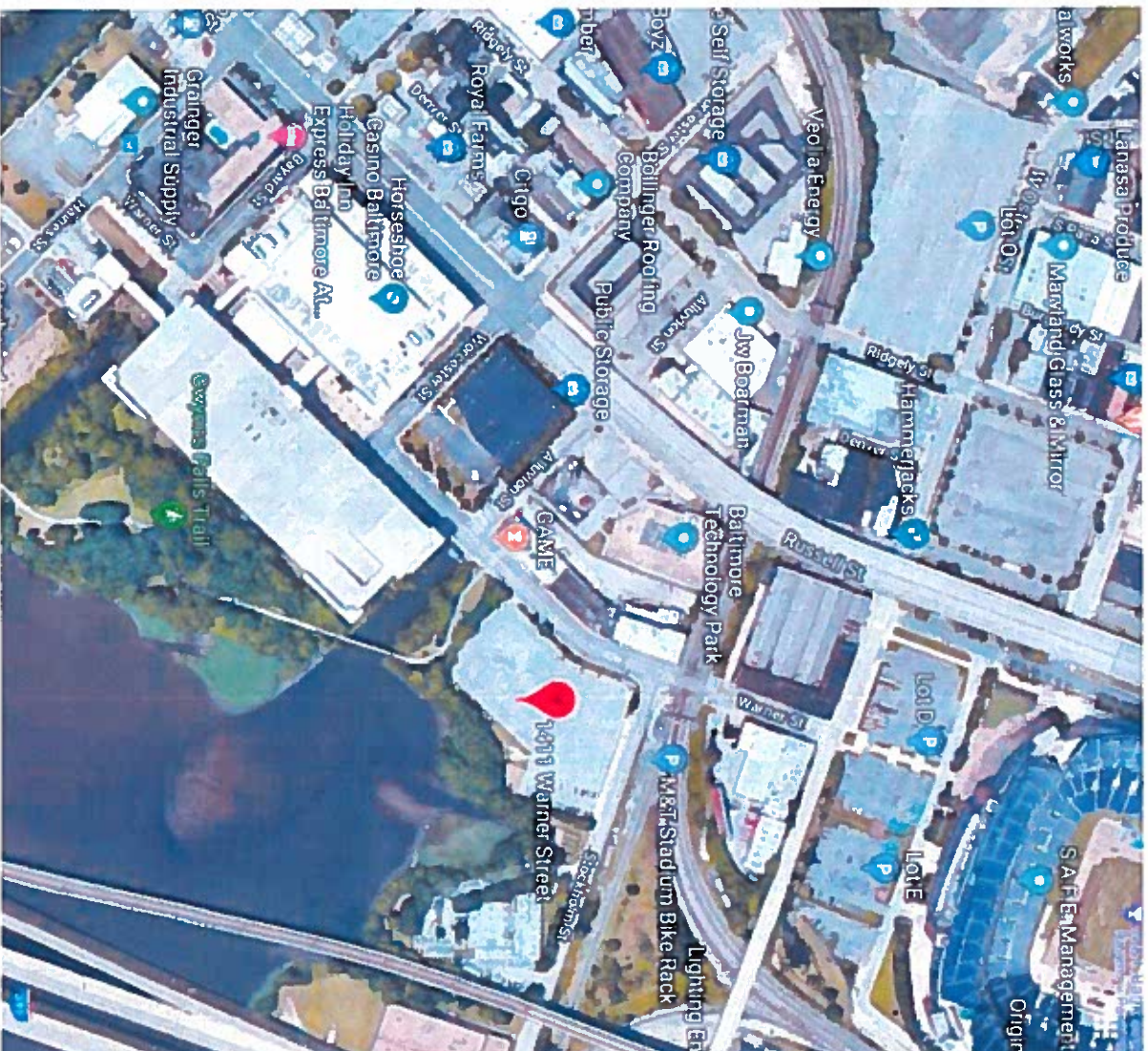
4730



Baltimore City Department of Planning

CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Aerial



Baltimore City Department of Planning



**CCB #19-0420/ Zoning - Signage Variances - 1411
Warner Street and 301 Stockholm Street**

Street View

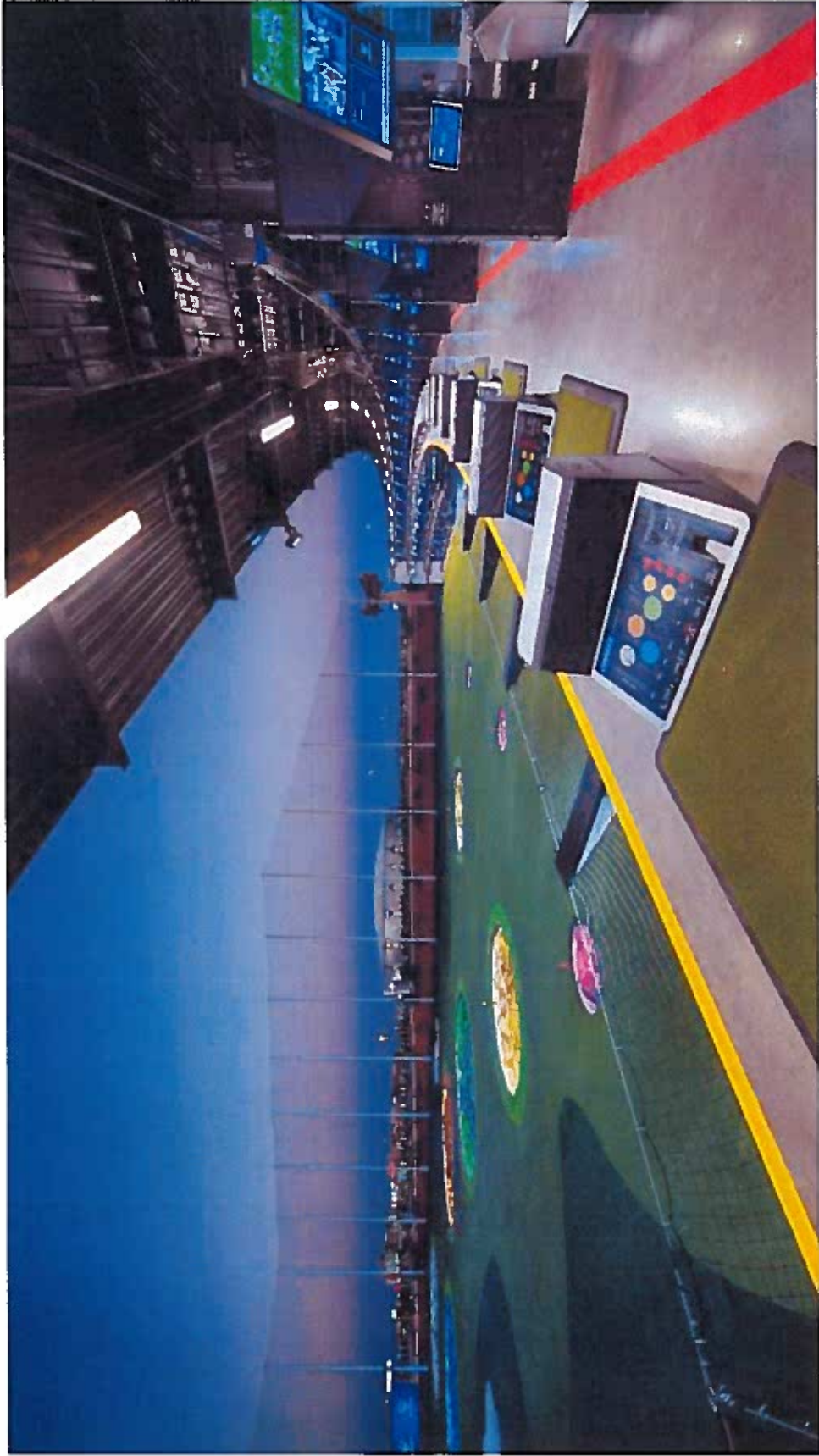


**CCB #19-0420/ Zoning - Signage Variances - 1411
Warner Street and 301 Stockholm Street**

Proposed Topgolf Rendering

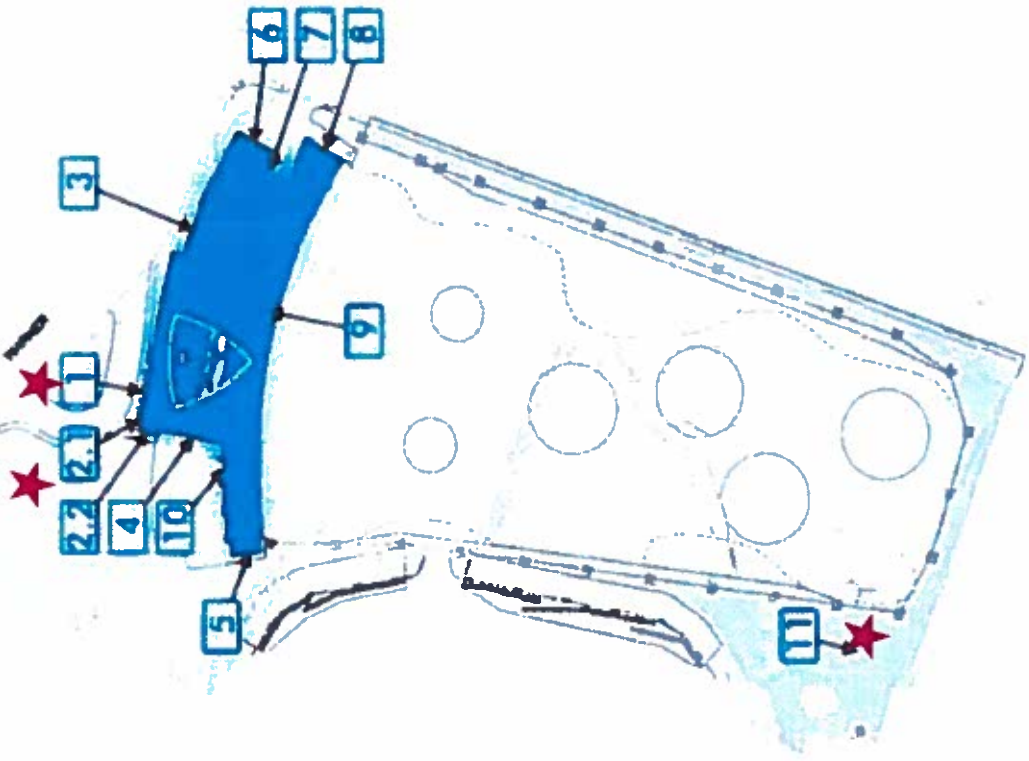
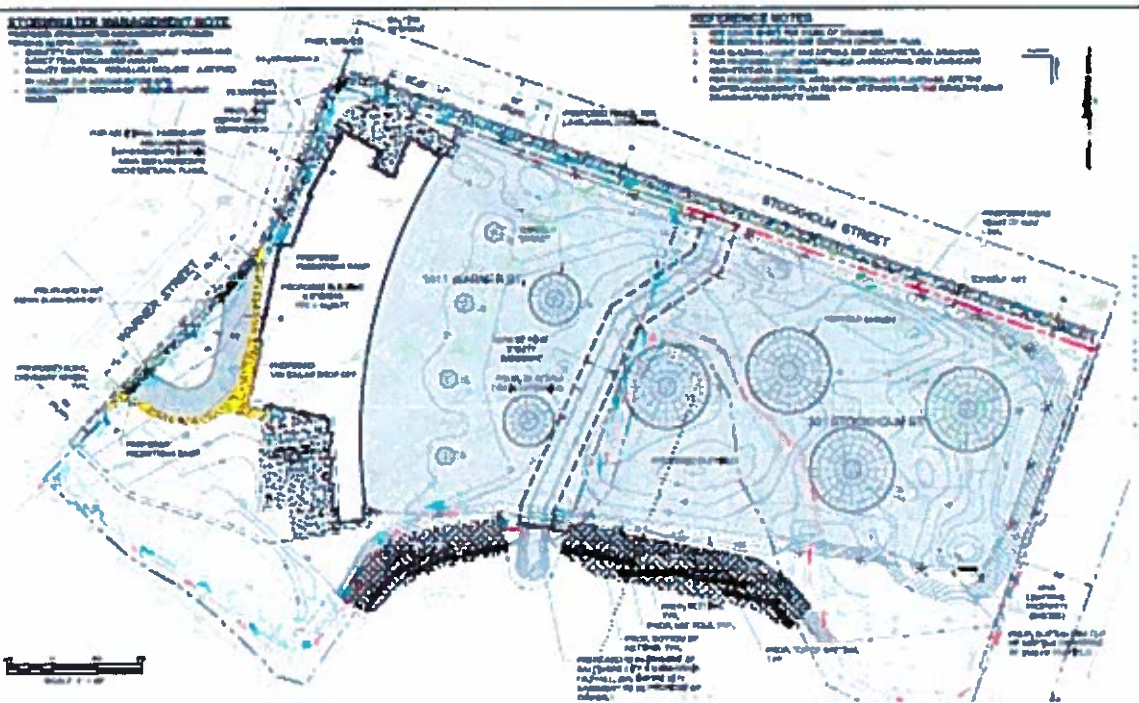


**CCB #19-0420/ Zoning - Signage Variances - 1411
Warner Street and 301 Stockholm Street
Proposed-Topgolf Rendering**



CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Proposed-Site Plan and Sign Location Plan

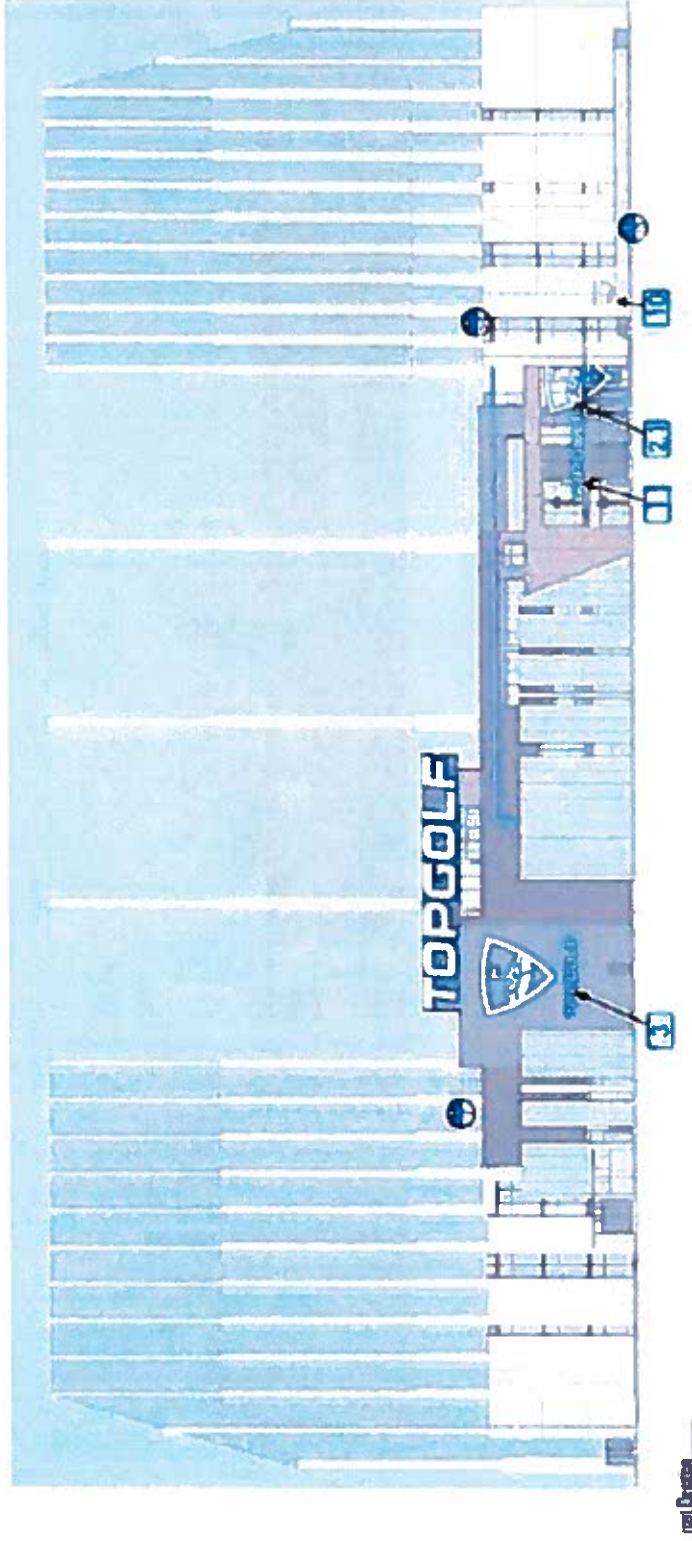


Baltimore City Department of Planning



CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Proposed-Signage Package

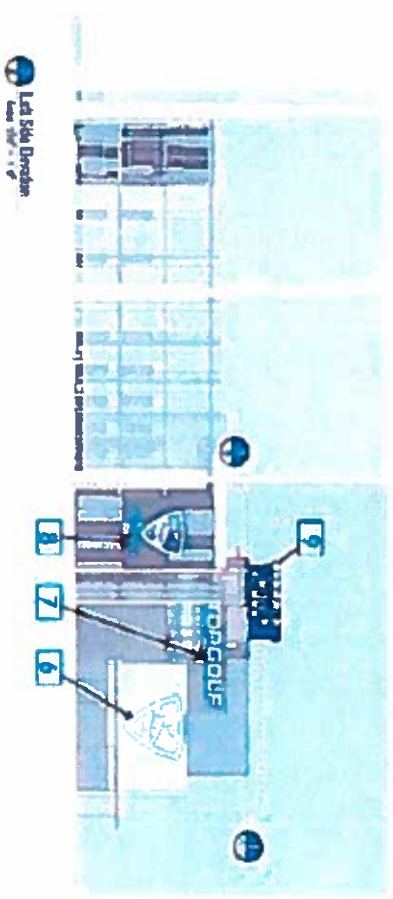


**CCB #19-0420/ Zoning - Signage Variances - 1411
Warner Street and 301 Stockholm Street**

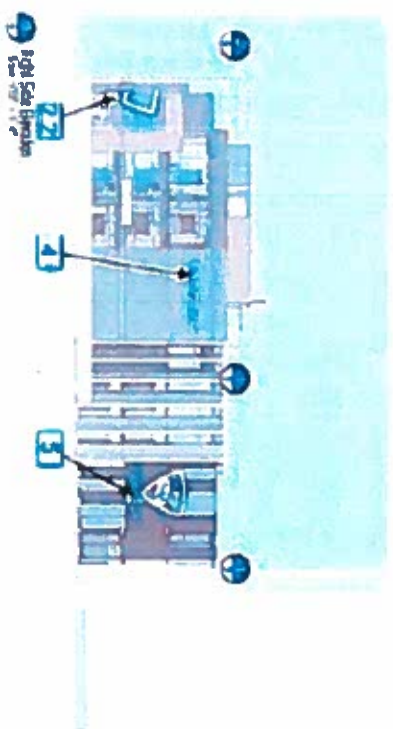
Proposed-Signage Package



1 Front Elevation



6 Left Side Elevation

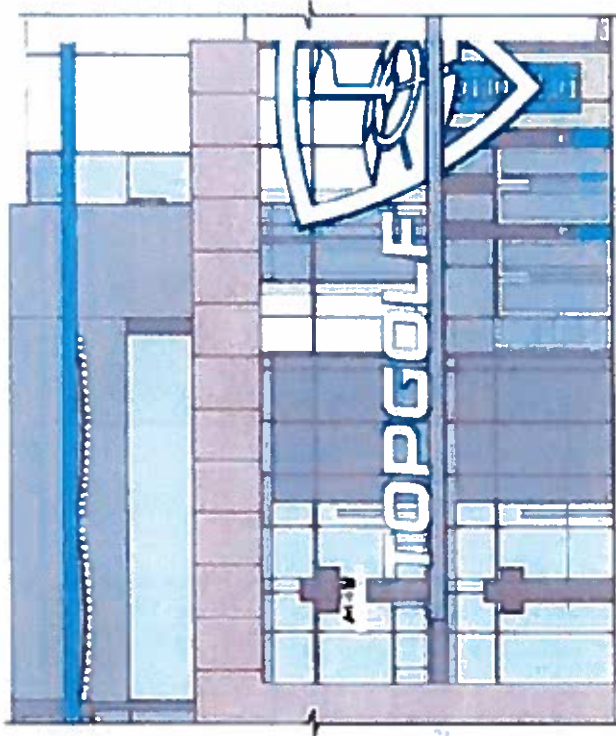


2 Right Side Elevation



CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Proposed-Signage Package



Exterior Elevation - Front View



Close-up Letters - Front View

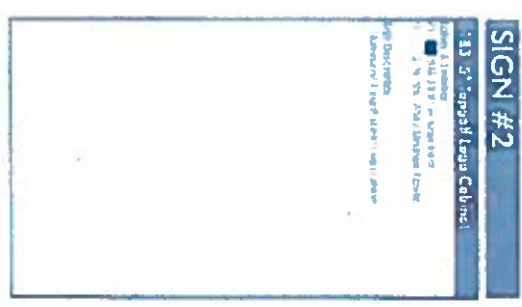
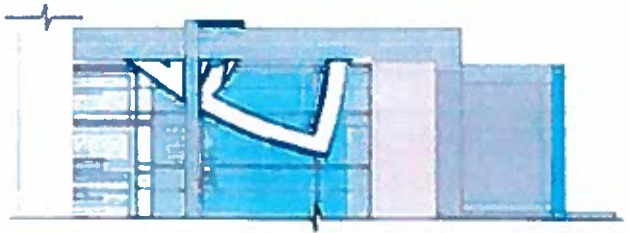
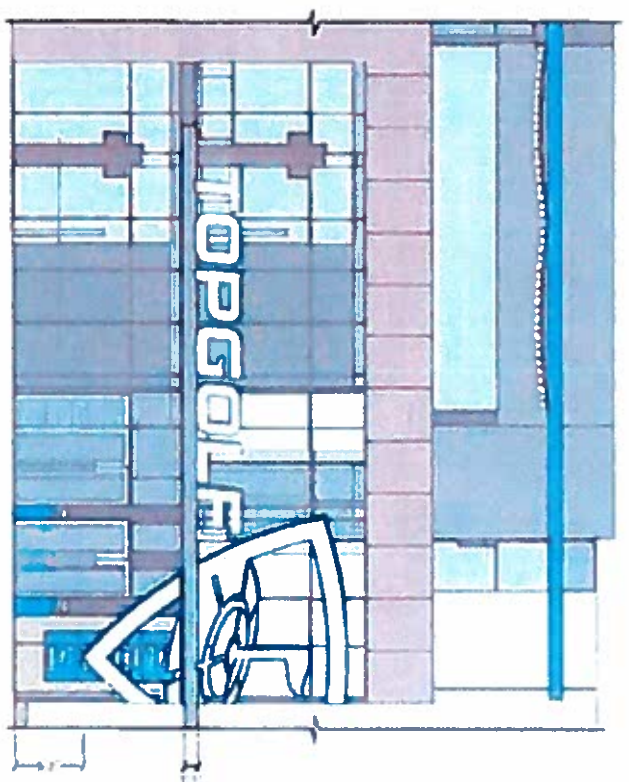


Close-up Letters - Side View

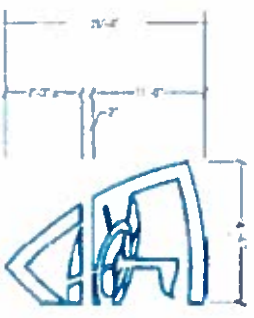


CCB #19-0420/ Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Proposed-Signage Package



Foot Curb Signage - Building Elevation



Logo Cabinet - Foot Curb Signage Elevation
1411 1411

Signature Elevation - Panel Elevation



Logo Cabinet - Foot Curb Signage Elevation
1411 1411



City Council Bill 19-0420

Topgolf – Signage Variances

The bill includes 8 separate signage variances. For ease of reference herein, they are as follows:

Variance 1 – Section 1, Sign 1 (height of canopy sign)

Variance 2 – Section 2, Sign 1 (width of canopy sign)

Variance 3 – Section 3, Sign 2 (height of canopy sign)

Variance 4 – Section 4, Sign 2 (area of canopy sign)

Variance 5 – Section 5, Sign 11 (height of pylon sign)

Variance 6 – Section 6, Sign 11 (area of pylon sign)

Variance 7 – Section 7, Sign 11 (width of pylon sign)

Variance 8 – Section 8, Signs 1 – 11 (cumulative area of all signs on a lot)

In accordance with Zoning Code Section 5-308, the following standards are met with respect to each of the variances:

- (1) *Because of the particular physical surroundings, shape, or topographical conditions of the specific structure or land involved, unnecessary hardship or practical difficulty, as distinguished from a mere inconvenience, would result if the strict letter of the applicable requirement were carried out.*

The Property is bounded to the south by Ridgley’s Cove and the Horseshoe Casino parking garage, to the east by the MTA light rail right-of-way and I-395, to the north by Stockholm Street and the CSX railway right-of-way, and to the west by Warner Street, a low-traffic street that extends only five blocks.

The Property is secluded and difficult to locate, particular for those visiting from out of town, imposing practical difficulty for any business located on the site. An entertainment destination such as Topgolf relies on signage as a crucial tool for both brand identification and, of critical importance, wayfinding. The signage that would be permitted by-right under the Zoning Code would not adequately identify the Topgolf brand and direct visitors to the Property.

Regarding Variances 1, 2, 3, and 4, the canopy logo sign is a key element of Topgolf’s international brand, and what will make Topgolf recognizable to visitors in the Warner Street entertainment corridor. Regarding Variances 5, 6, and 7, the proposed pylon sign would provide visibility along the I-395 skyramp, which is elevated far above street level at that location, and additional height, area, and width are required for the sign to be

0

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1 1 1

City of Baltimore

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

Meeting Minutes - Final

Land Use Committee

Wednesday, August 28, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0420

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 8 - Edward Reisinger, Shannon Sneed, Mary Pat Clarke, Ryan Dorsey, Sharon Green Middleton, Leon F. Pinkett III, Robert Stokes Sr., and Eric T. Costello

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0420

Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

For the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

Sponsors: Edward Reisinger, Eric T. Costello

A motion was made by Member Costello, seconded by Member Stokes, Sr., that the bill be recommended favorably with amendment. The motion carried by the following vote:

Yes: 7 - Reisinger, Sneed, Dorsey, Middleton, Pinkett III, Stokes Sr., and Costello

No: 1 - Clarke

ADJOURNMENT



HEARING NOTES

Bill: 19-0420

Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

Committee: Land Use

Chaired By: Councilmember Edward Reisinger

Hearing Date: August 28, 2019

Time (Beginning): 1:20 PM

Time (Ending): 1:55 PM

Location: Clarence "Du" Burns Chamber

Total Attendance: ~30

Committee Members in Attendance:

Reisinger, Edward - Chairman

Sneed, Shannon - Vice Chair

Clarke, Mary Pat

Costello, Eric

Dorsey, Ryan

Middleton, Sharon

Pinkett, Leon

Stokes, Robert

- Bill Synopsis in the file? yes no n/a
- Attendance sheet in the file? yes no n/a
- Agency reports read? yes no n/a
- Hearing televised or audio-digitally recorded? yes no n/a
- Certification of advertising/posting notices in the file? yes no n/a
- Evidence of notification to property owners? yes no n/a
- Final vote taken at this hearing? yes no n/a

Motioned by:.....Councilmember Costello

Seconded by:.....Councilmember Stokes

Final Vote:..... Favorable with Amendment

Major Speakers

(This is not an attendance record.)

- Ms. Tamara Woods, Department of Planning
- Mr. Nicholas Blendy, Office of the Mayor
- Ms. Hilary Ruley, Department of Law
- Ms. Kimberly Clark, Baltimore Development Corporation
- Mr. Bob Pipik, Department of Housing and Community Development
- Mr. Arco Sen, Parking Authority of Baltimore City
- Mr. Pedro Aponte, Finance Department
- Ms. Alyssa Domzal, Esquire, Ballard Spahr, representative for applicant
- Ms. Jessica Sanberg, Real Estate Development, Topgolf
- Ms. Kimberly Clark, Baltimore Development Corporation

Major Issues Discussed

1. Councilmember Reisinger read the bill's number, title, purpose and public notice certification. He testified that the signage project is part of a conceptual plan for live entertainment at the site. Councilmember Costello testified in support of the legislation.
 2. Ms. Tamara Woods presented the Planning Commission's recommendation of favorable with amendments. The amendment corrects a measurement typo for the width of Sign #11 by changing it from "square feet" to "feet." She presented a handout with general zoning information about the project. She presented findings to support the required variance considerations.
 3. Councilmember Clarke asked about conflict with the Carroll Camden Urban Renewal Plan (URP). Ms. Woods explained that the URP has a waiver clause and is also being considered for amendment to help the community move forward with its general development plan for the area.
 4. The committee discussed general provisions of URPs.
 5. Ms. Kimberly Clarke provided background information about the entertainment district for the area and the family-oriented, Topgolf project. She also provided general information about the use of URPs for development.
 6. There was general discussion about the services offered by Topgolf. Ms. Jessica Sanberg provided background information about Topgolf Entertainment services.
 7. Ms. Alyssa Domzal provided findings to support the required considerations for variances outlined in Article 32. She also presented an amendment to correct the total signage for Sign #2 and the cumulative total of signage.
 8. Agency representatives stated their agency's position.
 9. The committee approved the findings of facts.
 10. The committee approved amendments and voted to recommend the bill favorable as amended.
 14. The hearing was adjourned.
-

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Reisinger, Edward, Chairman..... **Yea**
Sneed, Shannon, Vice Chair..... **Yea**
Clarke, Mary Pat..... **Nay**
Costello, Eric..... **Yea**
Dorsey, Ryan..... **Yea**
Middleton, Sharon..... **Yea**
Pinkett, Leon..... **Yea**
Stokes, Robert:..... **Yea**

Jennifer L. Coates, Committee Staff

Date: August 28, 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 Committee

Wednesday, August 28, 2019

1:05 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0420

CALL TO ORDER

INTRODUCTIONS

ROLL CALL

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0420

Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

For the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

Sponsors:

Edward Reisinger, Eric T. Costello

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



BALTIMORE CITY COUNCIL LAND USE COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use 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, August 28, 2019

1:05 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 19-0420

Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
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- Larry Greene (*pension
only*)

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BILL SYNOPSIS

Committee: Land Use

Bill 19-0420

Zoning – Signage Variances – 1411 Warner Street and 301 Stockholm Street

Sponsors: Councilmembers Reisinger and Costello

Introduced: July 22, 2019

Purpose:

For the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

Effective: 30th day after the date of enactment

Hearing Date/Time/Location: August 28, 2019 / 1:05 p.m./ Clarence "Du" Burns Chambers

Agency Reports

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

Analysis

Current Law

Article 32 – Zoning; Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306 (C-5-DC)), and 17-404; Baltimore City Revised Code; (Edition 2000)

Background

If approved, Bill 19-0420 would grant variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001). The lots are to be consolidated. The bill is introduced at the request of Topgolf USA Baltimore, LLC, the applicant. The Mayor and City Council of Baltimore own the properties.

The property, which is situated in the Carroll-Camden Industrial area, is zoned C-5-DC (Downtown Zoning District). Just south of the site is the Horseshoe Casino. The site is situated in the Carroll-Camden Urban Renewal Plan.

According to *Article 32 – Zoning Code; Title 10* a C-5-DC Zoning District is a subdivision of the C-5 Downtown District which is described as follows:

§ 10-207. C-5 Downtown District.

(a) Areas for which intended.

The C-5 Downtown Zoning District is intended for Baltimore's Downtown and accommodates a wide range of uses normally associated with the downtown of a major city.

(b) Standards.

The C-5 District standards are crafted to:

- (1) maintain or improve the pedestrian environment;
- (2) ensure that new construction is compatible with existing development; and
- (3) develop a greener downtown.

(c) Subdistricts.

- (1) In general, In order to address the different character areas that make up Downtown, the C-5 District is divided into (seven) subdistricts, for which varied bulk and yard regulations are

provided to recognize the different physical characteristics of Downtown...

§ 10-207 (c)(2). C-5-DC Downtown Core Subdistrict.

- (i) The purpose of the C-5-DC Downtown Core subdistrict is to establish these standards for structures located within the majority of Downtown.
- (ii) The standards recognize that this subdistrict is to be the most intensely developed portion of Downtown and is to be predominately pedestrian-oriented in nature.

Variances Requested

Sign Type	Article 32 – Section	Zoning District Requirement	Signage Plan - Sign No.	Variance Requested
Canopy Sign Height Regulation	§17-404(b)(7)	Signs may not be any taller than 2 feet.	Sign 1	3.5 feet
Canopy Sign Width Regulation	§17-404(b)(6)	Signs may not be wider than 80% of the width of the awning or canopy.	Sign 1	89%
Canopy Sign Height Regulation	§17-404(b)(7)	Signs may not be any taller than 2 feet.	Sign 2	19.3 feet
Canopy Sign Area Regulation	§17-201 & Table 17-201	<i>Maximum Sign Area</i> - 2 sq. ft. per width of canopy or frame Permitted – 55.8 ft. x 2 ft. = 111.76 feet	Sign 2	418.2 square feet
Freestanding Pylon Sign Height Regulation	§17-201 & Table 17-201	<i>Height</i> – Minimum Height 6 ft. / Maximum Sign Height 20 ft.	Sign 11	77 feet
Freestanding Pylon Sign Area Regulation	§17-201 & Table 17-201	<i>Maximum Sign Area</i> - 50 sq. ft.	Sign 11	640.2 square feet
Freestanding Pylon sign Width Regulation	§17-201 & Table 17-201	<i>Width</i> – Maximum Width 6 ft.	Sign 11	41.5 square feet <i>(Planning amendment received to correct width to 41.5 feet.)</i>
Maximum Cumulative Area	§17-306 & Table 17-306	Maximum Area Per Lot – All Non-Electronic Sign Types & Electronic Sign Categories I, II, & III 1, 200 sq. ft.	Entire Lot	3,487.73 square feet

Prepared by: Jennifer Coates

Amendments

The Department of Planning has proposed an amendment for the bill which corrects the width measurement (41.5 square feet should be 41.5 feet) for the freestanding pylon sign. (see attached - amendment).

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency Reports

Analysis by: Jennifer L. Coates
Analysis Date: August 26, 2019



Direct Inquiries to: (410) 396-1260



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use Chairperson: Edward Reisinger
 Date: August 28, 2019 Time: 1:05 p.m. Place: Clarence "Du" Burns Chambers
 Subject: Ordinance - Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street CC Bill Number: 19-0420

PLEASE PRINT2

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Alyssa	Domzels	385	BALVADSPNR, 300 E LOMBARD	21202	domzels@balvadsprnr.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Jessica	Sanberg	300	Bethesda Road		Jessica.Sanberg@Hogolf.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TAMARA	WOODS		Flannery		farnesawoods@baltimorecity.gov	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
John	RENNER		CSP		STREWER@CROSSSTPARTNERS.COM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

(*) 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
COUNCIL BILL 19-0420
(First Reader)**

Introduced by: Councilmembers Reisinger and Costello

At the request of: Topgolf USA Baltimore, LLC

Address: c/o Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18th Floor,
Baltimore, Maryland 21202

Telephone: 410-528-5510

Introduced and read first time: July 22, 2019

Assigned to: Land Use Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Signage Variances –**
3 **1411 Warner Street and 301 Stockholm Street**

4 FOR the purpose of granting variances from certain signage regulations for the establishment of
5 signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301
6 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red
7 on the accompanying plat.

8 BY authority of

9 Article 32 - Zoning

10 Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306
11 (C-5-DC)), and 17-404

12 Baltimore City Revised Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
15 pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 17-404 of Article 32 - Zoning,
16 permission is granted for a variance from the canopy sign height regulation of 2 feet, as specified
17 in § 17-404, to permit a canopy sign with a height of 3.5 feet, designated as Sign 1 on the plan
18 entitled “Signage Plan”, dated March 7, 2019.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
20 201(a), 5-305(a), and 17-404 of Article 32 - Zoning, permission is granted for a variance from
21 the canopy sign width regulation of 80% of the width of the canopy, as specified in § 17-
22 404(b)(6), to permit a canopy sign with a width of 89% of the width of the canopy, designated as
23 Sign 1 on the Signage Plan.

24 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
25 201(a), 5-305(a), and 17-404 of Article 32 - Zoning, permission is granted for a variance from

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

Council Bill 19-0420

1 the canopy sign height regulation of 2 feet, as specified in § 17-201 (Table 17-201: Sign
2 Regulations), to permit a canopy sign with a height of 19.3 feet, designated as Sign 2 on the
3 Signage Plan.

4 **SECTION 4. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
5 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
6 variance from the canopy sign area regulation of 111.76 square feet, being 2 feet multiplied by
7 55.88 feet in canopy width, as specified in § 17-201 (Table 17-201: Sign Regulations), to permit
8 a canopy sign with an area of 418.2 square feet, designated as Sign 2 on the Signage Plan.

9 **SECTION 5. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
10 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
11 variance from the freestanding pylon sign height regulation of 20 feet, as specified in § 17-201
12 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with a height of 77 feet,
13 designated as Sign 11 on the Signage Plan.

14 **SECTION 6. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
15 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
16 variance from the freestanding pylon sign area regulation of 50 feet, as specified in § 17-201
17 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with an area of 640.2
18 square feet, designated as Sign 11 on the Signage Plan.

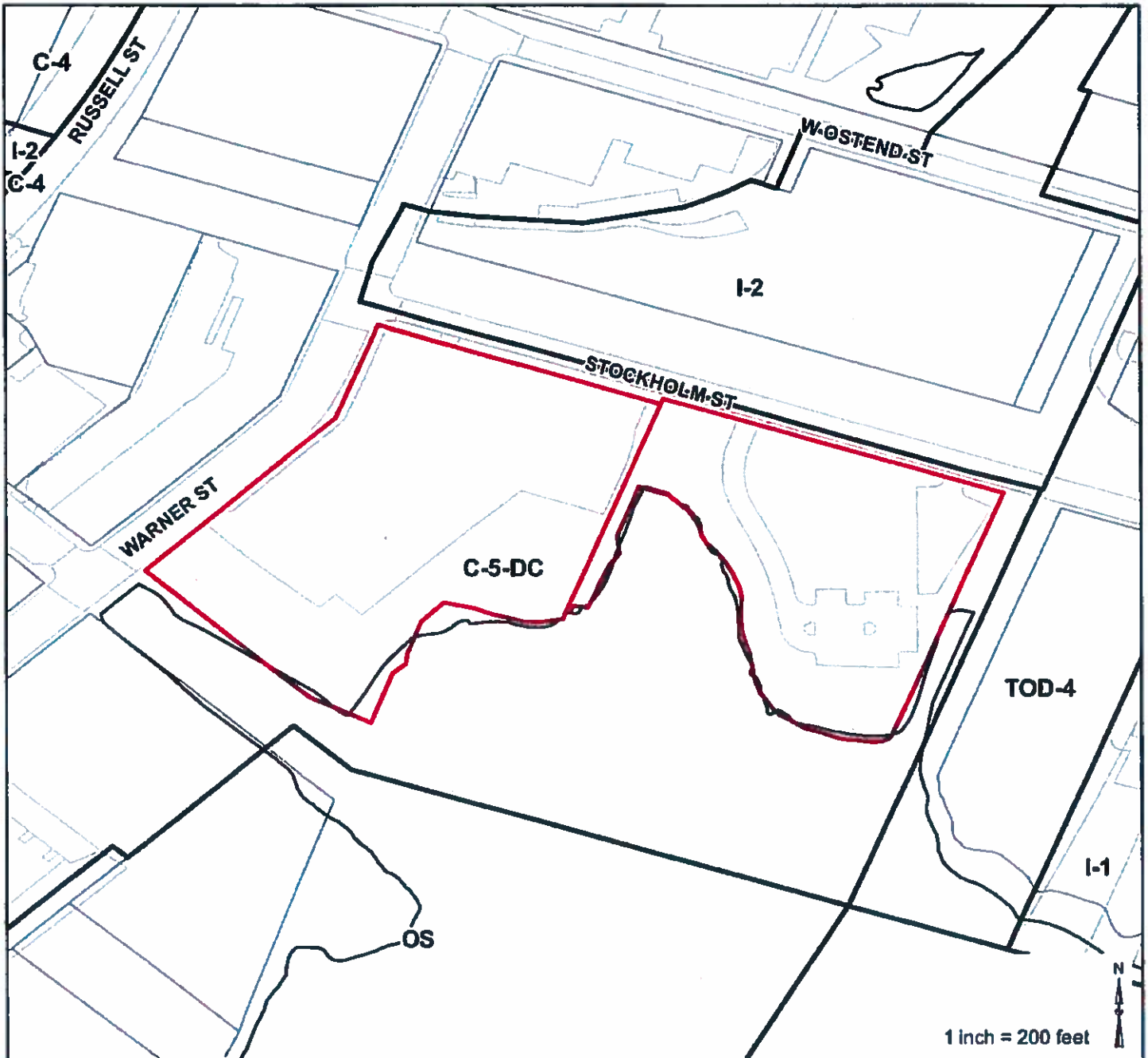
19 **SECTION 7. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
20 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
21 variance from the freestanding pylon sign width regulation of 6 feet, as specified in § 17-201
22 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with a width of 41.5 square
23 feet, designated as Sign 11 on the Signage Plan.

24 **SECTION 8. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
25 201(a), 5-305(a), and 17-306 (Table 17-306) of Article 32 - Zoning, permission is granted for a
26 variance from the regulation of the maximum cumulative area of 1,200 square feet of signs
27 permitted on a lot, as specified in § 17-306 (Table 17-306: Sign Regulations) to permit a
28 maximum cumulative area of signs of 3,487.73 square feet on the lot.

29 **SECTION 9. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
30 accompanying plat and in order to give notice to the agencies that administer the City Zoning
31 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
32 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
33 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
34 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
35 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
36 the Zoning Administrator.

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

**SHEET NO. 65 OF THE ZONING DISTRICT MAP
OF THE BALTIMORE CITY ZONING CODE**



In connection with the properties known as 1411 Warner Street and 301 Stockholm Street.
The applicant is requesting certain variances for signage on the aforementioned properties,
as outlined in red above.

Ward 21	Section 90	Block 0845	Lots 001
Ward 23	Section 70	Block 0984	Lots 001

Mayor

President, City Council

LAND USE COMMITTEE

BILL 19-0420

Proposed Amendments

- Department of Planning – Dated 8/23/19

DLR DRAFT I 23AUG19

DLR DRAFT I 23AUG19

**AMENDMENTS TO COUNCIL BILL 19-0420
(1" Reader Copy)**

**By: Department of Planning
{To be offered to the Land Use Committee}**

Amendment No. 1

On page 2, in line 22, strike "square".

Topgolf – Summary of Signage Variances

Signs (Other than wall signs)

Sign	Sign Type	Max height	Sign height	Height variance?	Max area	Sign area	Area variance?	Other code restriction	Other signage dimension	Other variance?
Sign 1	Awning/ canopy	2' (17-404(b)(7))	3'6"	Yes	111.76 sf (2' x 55.88' canopy length) (T 17-201)	98.2 sf	No	Max width 80% of canopy	89% of canopy width (49.88' of 55.88' canopy)	Yes
Sign 2	Awning/ canopy	2' (17-404(b)(7))	20.33"	Yes	111.76 sf (2' x 55.88' canopy length) (T 17-201)	118.2 sf	Yes	Max width 80% of canopy	39% of canopy width (21.82' of 55.88' canopy)	No
Sign 9	Roof	20' above roof (T 17-201)	10' above roof	No	1,368 sf (4 sf per linear * 342' linear frontage) (T 17-201; 17-414)	768.3 sf	No	1 per building	1 on building	No
Sign 11	Freestanding sign (pylon)	20' (T 17-201)	77'	Yes	50 sf (T 17-201)	640.2 sf	Yes	Max width 6 feet (T 17-201)	41.5 feet	Yes

Wall signs (above ground floor)

Elevation	Maximum Area per Elevation	Sign	Maximum Height	Sign Height	Height Variance?	Sign Area	Area Variance?
West (366' linear frontage)	1464 sf (4 sf * 366' linear frontage) (T 17-201)	Sign 3	None	28.93'	No	695.5 sf	
		Sign 10		8.85'		70.9 sf	
		Sign 4		2.66'		56.7 sf	
South (100.42' linear frontage)	401.67 sf (4 sf * 100.42' linear frontage) (T 17-201)	Sign 5	None	16.47'	No	263.9 sf	
North (95.5' linear frontage)	382 sf (4 sf per linear * 95.5' linear frontage) (T 17-201)	Sign 6: logo wall (left elevation)		18.29'		352.69 sf	
		Sign 7: text wall (left elevation)		4.25'		137.6 sf	
		Sign 8: logo wall (left side of bays)		16.47'		263.9 sf	
TOTAL AREA (WALL SIGNS)	2,247.67 sf					1,841.49 sf	No

Maximum cumulative area of signs permitted on lot: 1,200 sf (T 17-201). Total lot area of signs is 3,766.09 sf. Cumulative area variance needed.

Signage Plan
Baltimore, MD



420

PROPOSED SIGNS

Item #	Sign Description	Qty	Size	Material	Notes	Special Instructions
1	120" High Amber Sign	1	120" x 60"	Aluminum		
2	LED Power Supply	1	N/A	N/A		
3	Blocky Sign	1	114"	N/A		
4	Standard Direction Sign	1	114"	N/A		
5	Access Panel (1/2" Dia)	1	N/A	N/A		
6	Additional Sign (1/2" Dia)	1	N/A	N/A		
7	Signpost	1	N/A	N/A		
8	Signpost	1	N/A	N/A		
9	Signpost	1	N/A	N/A		
10	Signpost	1	N/A	N/A		
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99	Signpost	1	N/A	N/A		
100	Signpost	1	N/A	N/A		

SYMBOLS KEY

Symbol	Description	Code
[A]	120" High Amber Sign	N/A
[B]	LED Power Supply	N/A
[C]	Blocky Sign	N/A
[D]	Standard Direction Sign	N/A
[E]	Access Panel (1/2" Dia)	N/A
[F]	Additional Sign (1/2" Dia)	N/A
[G]	Signpost	N/A
[H]	Signpost	N/A
[I]	Signpost	N/A
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REVISIONS

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CIMA
1771 Peachtree Road
Atlanta, GA 30309
404.525.1313
www.cimainc.com

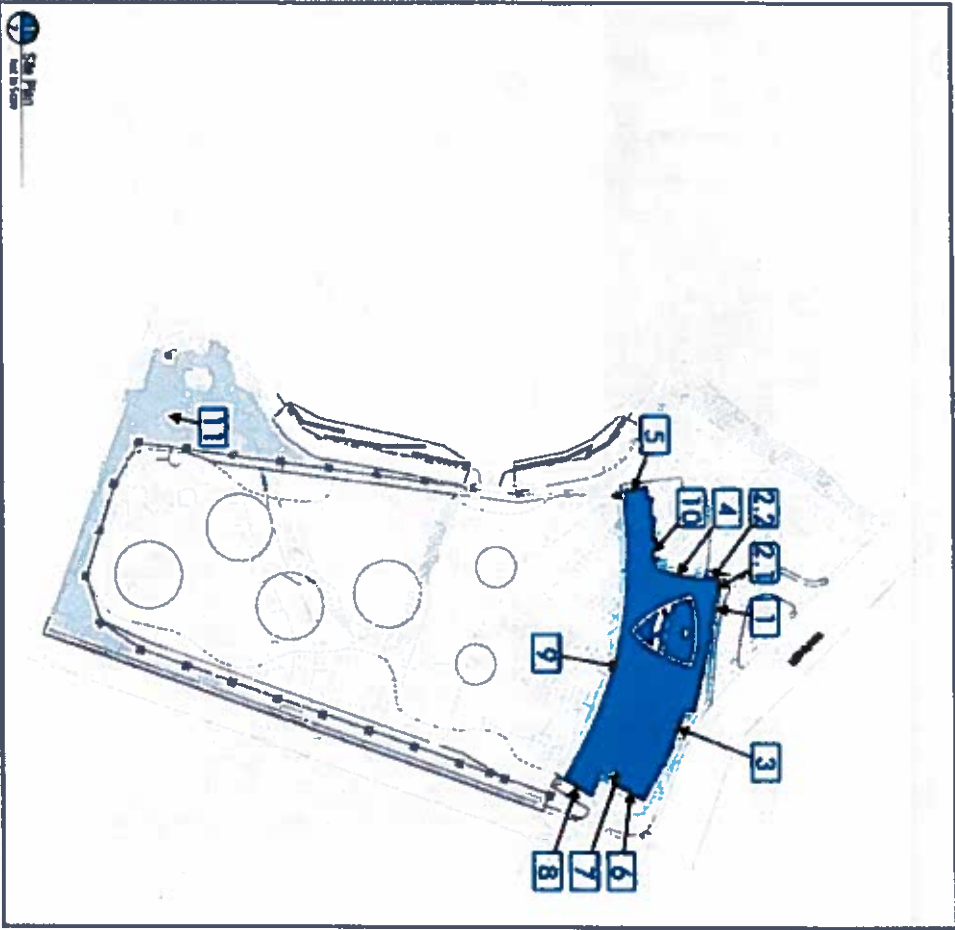
3150 Peachtree Road
Atlanta, GA 30309
404.525.1313
www.cimainc.com

FILE #E66296

404.525.1313
www.cimainc.com

Chart Legend
Drawn By: [Name]
Date: [Date]

Abbreviations
Address
Reference: [Number]



Circle K Network Inc.
 171 River Hill Blvd
 Chesham, NJ 07914

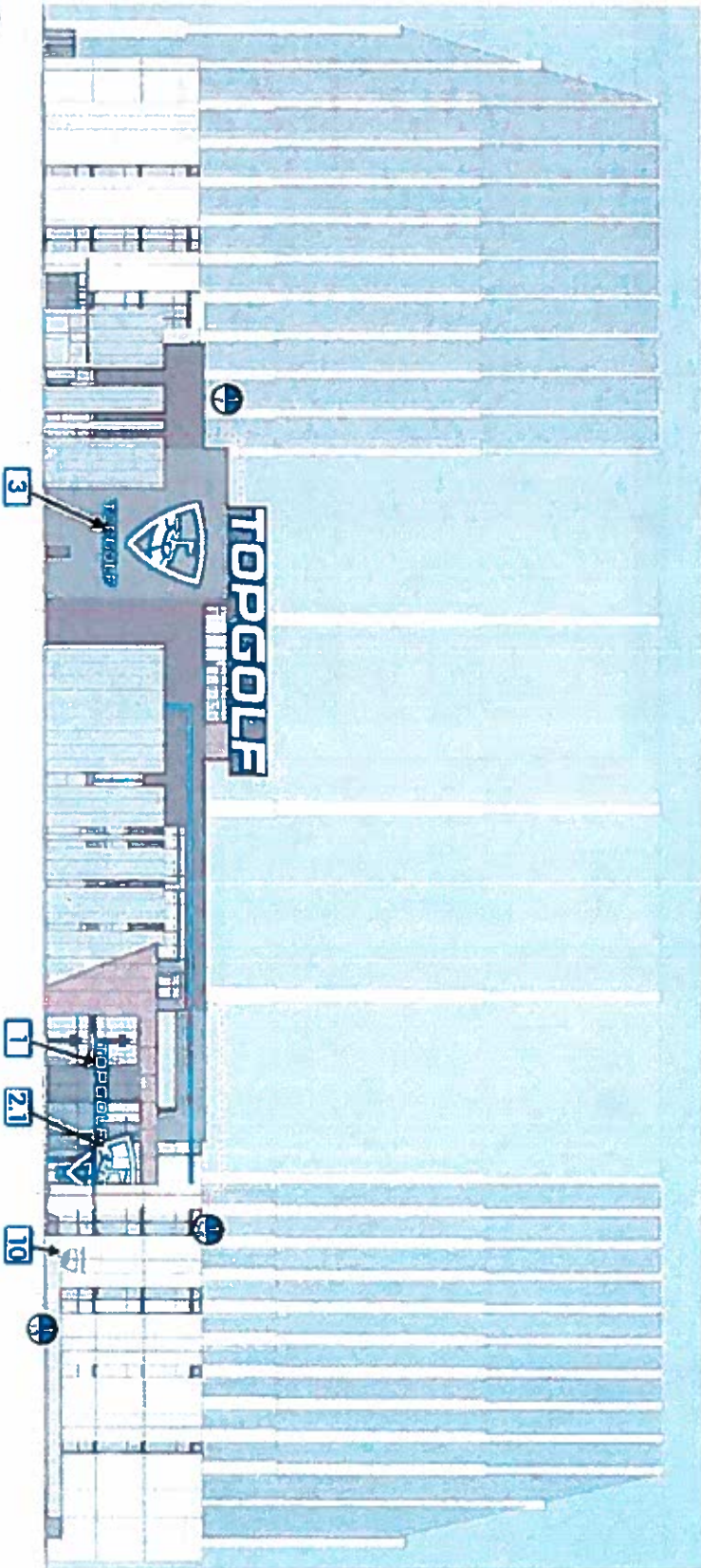
Address: 741/200 0315
 Fax: 201/200 0017
 www.cimainc.com

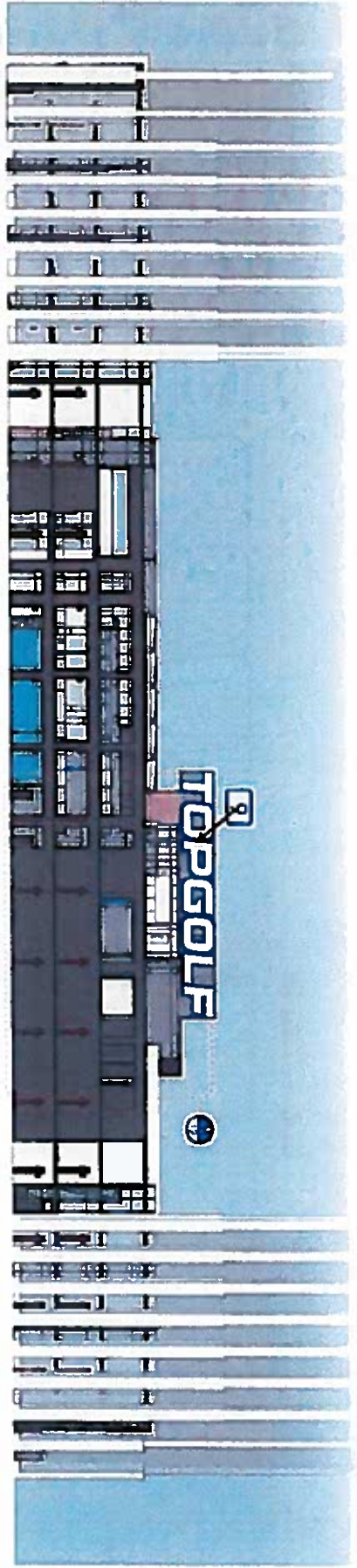
File #E465295

Client: [Redacted]
 [Redacted]
 [Redacted]

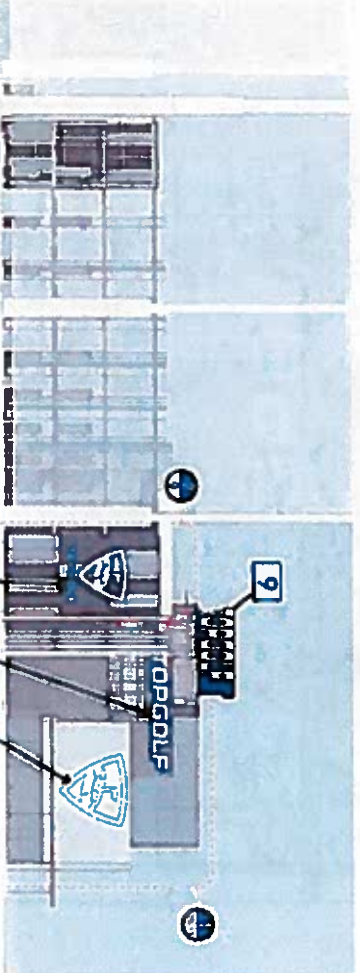
Job # 3113

Address: [Redacted]
 Baltimore, MD

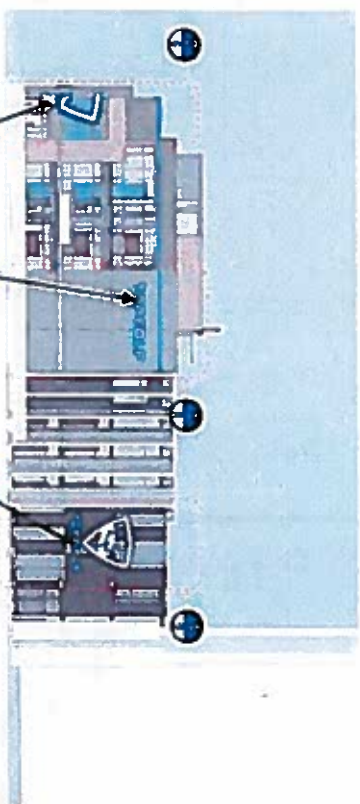




Panel Elevation
FROM 100' W



Left Side Elevation
FROM 100' W



Right Side Elevation
FROM 100' W



1271
1271
1271

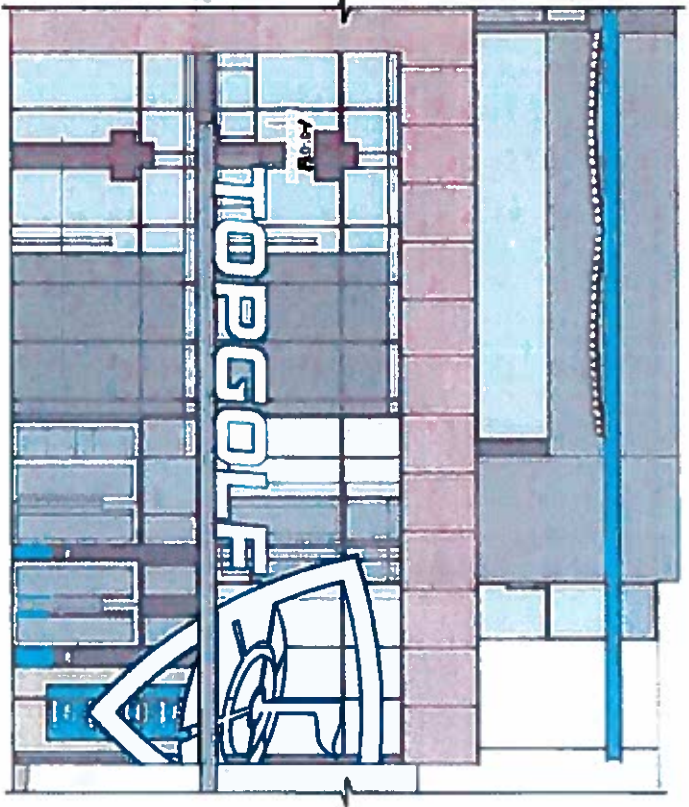
1271
1271
1271

FILE #E465295

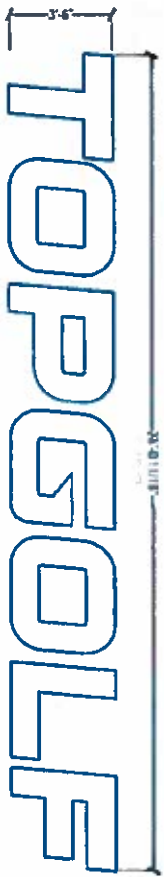
1271
1271
1271

1271
1271
1271

1271
1271
1271



Front Elevation - Partial @ Entrance



Channel Letters - Front View



Channel Letters - Side View

SIGN #1

42" TOPGOLF Channel Letters

- 1. Sign & Finish
 - 2. 42" High x 48" Wide
 - 3. Color: Red / White / Black / Gold
 - 4. 1" or 2" Deep Channel Letters
- Sign Description:
1. Sign is illuminated with LED lights.
 2. Sign is made of aluminum.
 3. Sign is made of aluminum.
 4. Sign is made of aluminum.
 5. Sign is made of aluminum.
 6. Sign is made of aluminum.
 7. Sign is made of aluminum.
 8. Sign is made of aluminum.
 9. Sign is made of aluminum.
 10. Sign is made of aluminum.



CIMA
1271 River Bluff
Clarksville, TN 37041

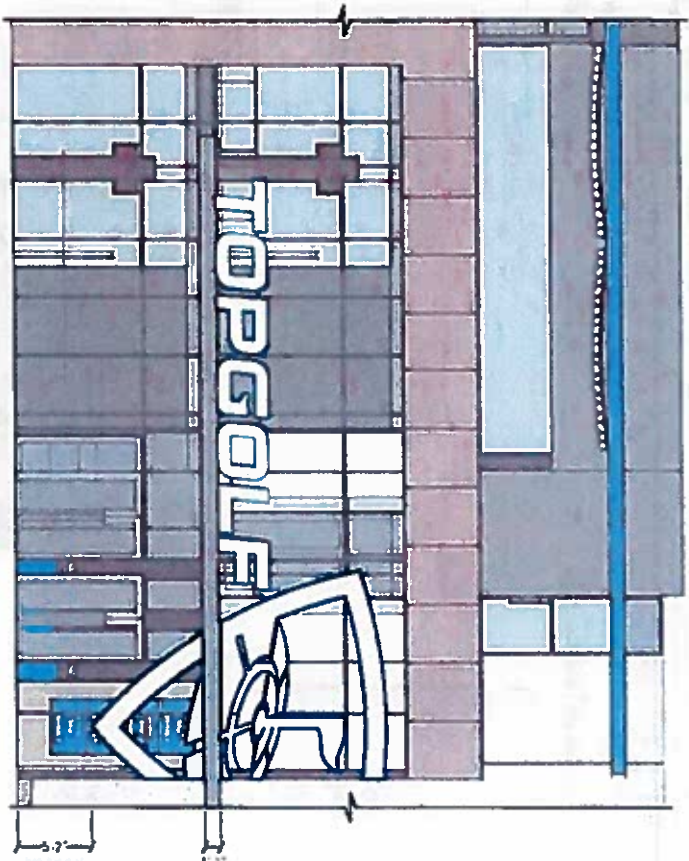
Phone: 731.208.0975
Fax: 731.208.0977
www.cimainc.com

FILE #E465295

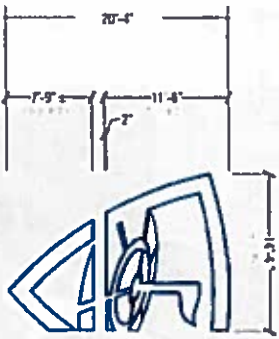
42" TOPGOLF Channel Letters

Order By: [Name]

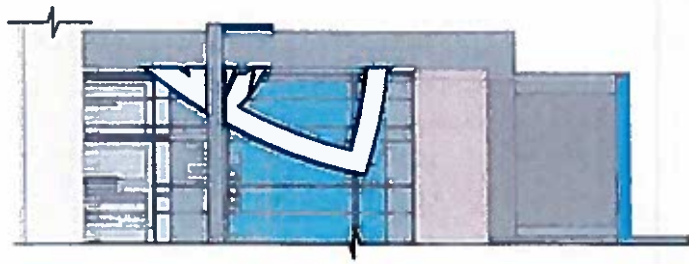
Address: [Address]



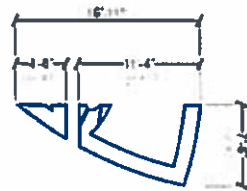
Front Elevation - Partial @ Entrance
Scale: 1/8" = 1'-0"



Light Cabinet - Front View Elevation #11
Scale: 1/8" = 1'-0"



Right Side Elevation - Partial @ Entrance
Scale: 1/8" = 1'-0"



Light Cabinet - Front View Elevation #21
Scale: 1/8" = 1'-0"

SIGN #2

183 3" Topgolf Logo Column
Colors & Finish
P1 1/2x 2 1/2" w/ 4mm kn si
U1 3 1/2" x 6" w/ 2" channel Acrylic
Sign Description
1 Aluminum sign on steel sign carrier



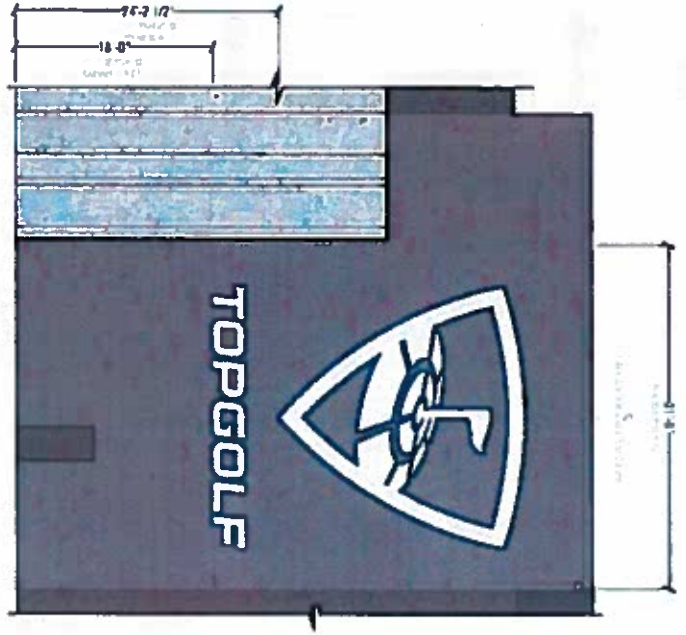
CIMA
131 River Street Blvd
Chesham, NJ 07914
Office: 202.200.0025
Fax: 202.200.0027
www.cimainc.com

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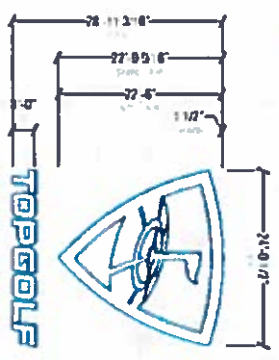
FILE #165295

Client: Topgolf
Drawn By: MC
Date: 3/18

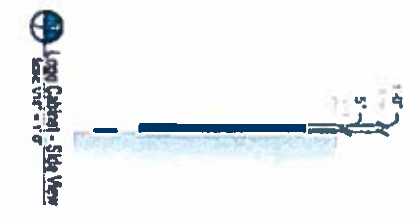
Job #2022
Address
Chesham, NJ



Front Elevation - Detail



Logo Cabinet - Front View



Logo Cabinet - Side View



Cima Network, Inc.
177 River Street
Chatham, NY 12018

Phone: 518-398-0535
Fax: 518-398-0577
www.cimainetwork.com

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FILE #E46295

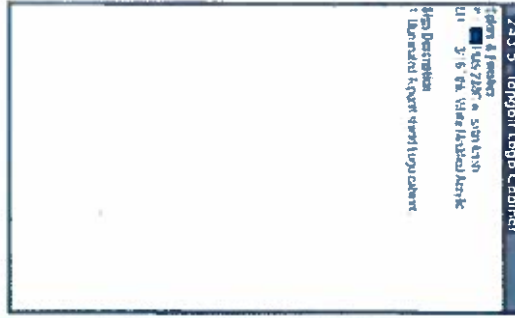
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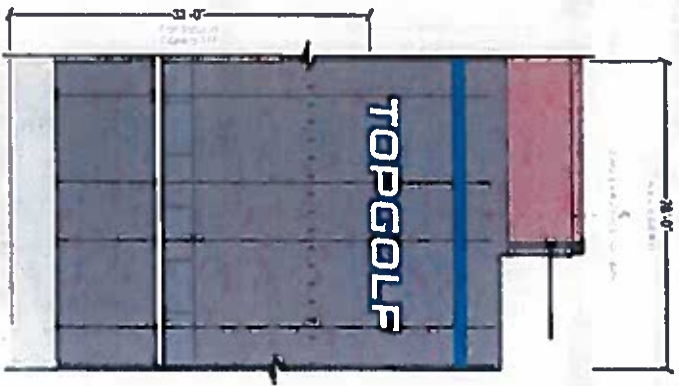
Client: Topgolf
Designed By: ME
Date: 3/15

Job # 1001
Address: Baltimore, MD

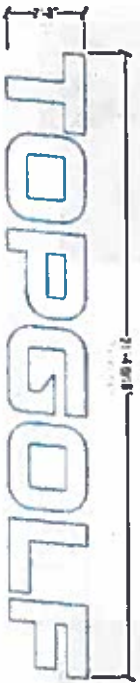
SIGN #3

243 5" Topgolf Logo Cabinet
Edwin S. Fendler
1405 71st St. S. STE 1010
L11 505 728-1100
505 7th St. NW, Atlanta, GA 30308
Sign Description
1 Aluminum Cabinet with Topgolf Sign





32" TOPGOLF Channel Letters - Front View
Scale: 1/8" = 1'-0"



32" TOPGOLF Channel Letters - Side View
Scale: 1/8" = 1'-0"



32" TOPGOLF Channel Letters - Side View
Scale: 1/8" = 1'-0"

SIGN #4

32" TOPGOLF Channel Letters
 Color: A. Jumbo
 P. 1/16" x 1/2" x 1/2"
 1/2" 3/8" x 1/2" x 1/2" x 1/2"
 1/2" 3/8" x 1/2" x 1/2" x 1/2"
 Sign Description
 1. Letter & channel letter signs: finish: powder coated, aluminum, or extruded aluminum
 2. 1/16" thick or 1/8" thick (unless specified)



CIMA Aluminum Inc.
 1721 New Britain Blvd
 Chatham, NJ 07914
 Phone: 201.200.0035
 Fax: 201.200.0037
 www.cimainc.com

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FILE #E465285

All Channel Letters are constructed with a minimum thickness of 1/16" and a maximum thickness of 1/2". The channel letter height is 32". The channel letter width is 32". The channel letter depth is 1/2". The channel letter spacing is 1/2". The channel letter finish is powder coated aluminum.

Drawn By: E
 Date: 11/18

Job # 2004
 Address: Quincey, MD

SIGN #5 & 8

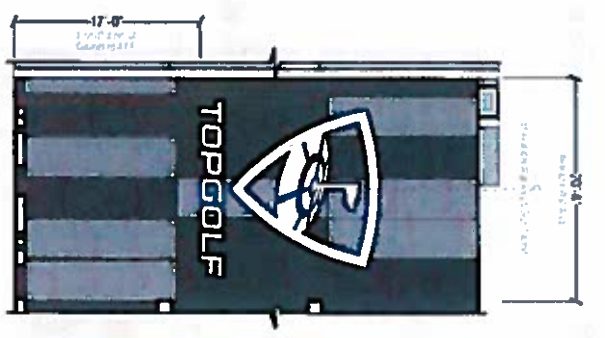
198" Channel Letters w/ Logo Stacked

Colors & Finishes
 (1) 185 7025 w/ sign light
 (2) 3.6" 84 White/Aluminum

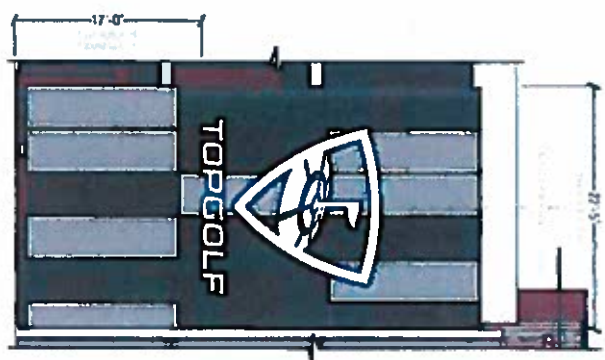
Sign Description

- 1) 185" Channel Letters w/ sign light
- 2) 3.6" 84 White/Aluminum
- 3) 185" Channel Letters w/ sign light
- 4) 3.6" 84 White/Aluminum
- 5) 185" Channel Letters w/ sign light
- 6) 3.6" 84 White/Aluminum
- 7) 185" Channel Letters w/ sign light
- 8) 3.6" 84 White/Aluminum

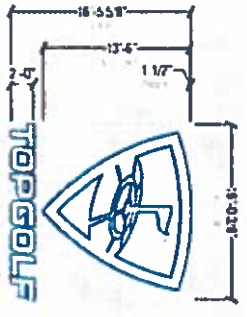
Logo/Proprietors not shown as per client request



Right Side Elevation - Partial
 Scale: 1/8" = 1'-0"



Left Side Elevation - Partial
 Scale: 1/8" = 1'-0"



Logo Cabinet - Front View
 Scale: 1/8" = 1'-0"



Channel Letters - Side View
 Scale: 1/8" = 1'-0"



Cima Network Inc.
 1711 New Britain Blvd
 Channahon, IL 61914

Office: 767-200-0375
 Fax: 767-200-0377
 www.cimainc.com

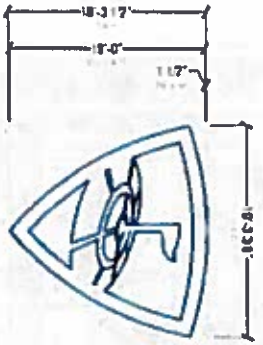
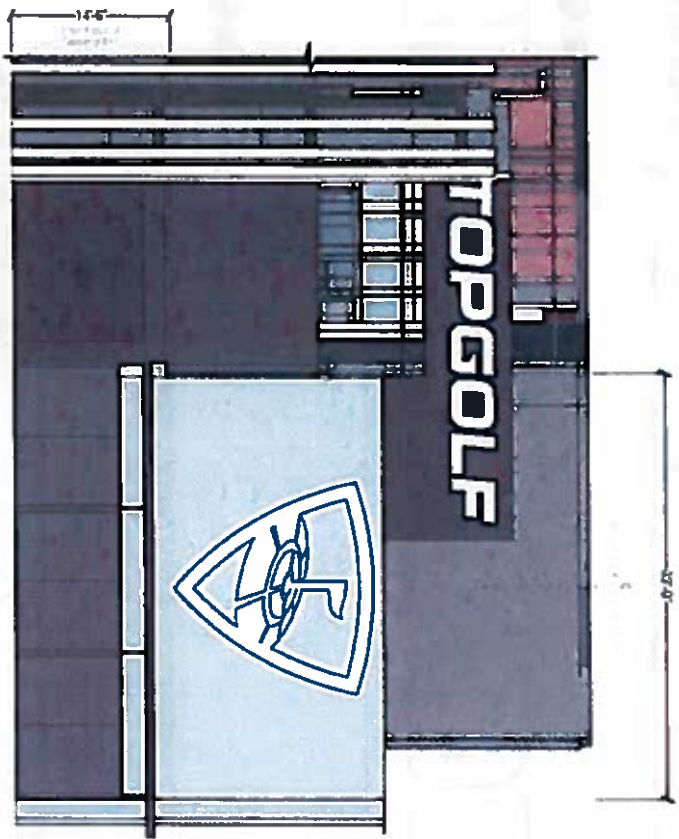
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FILE # E465206

1/12/2011 10:11 AM
 198" Channel Letters w/ Logo Stacked

Client Request
 Date: 1/12/11

Address: Baltimore, MD



1. Logo Cabinet - Front View
Scale: 1/8" = 1'-0"

2. Logo Cabinet - Side View
Scale: 1/8" = 1'-0"



Cima Interiors Inc.
1711 New Market Blvd.
Chesapeake, VA 23026
Phone: 757.200.0515
Fax: 757.200.0377
www.cimainteriors.com

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FILE #EA65295

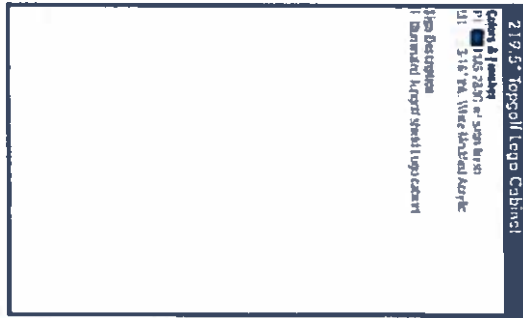
As per the contract, the manufacturer is not responsible for the accuracy of the information provided in this document. The manufacturer is not responsible for any errors or omissions in this document.

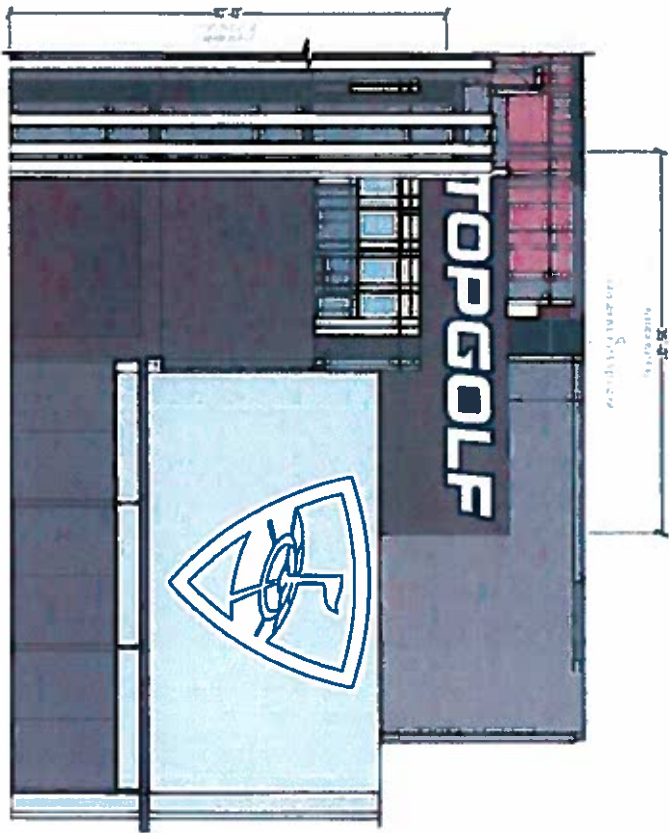
Client: Topgolf
Date: 11/19

Job Name:
Address:
Baltimore, MD

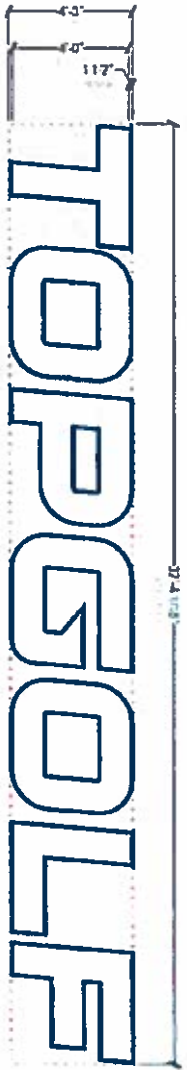
SIGN #6

219.5" Topgolf Logo Cabinet
Cabinet & Lighting
P1: 3.16' x 3.16' w/ 3.16" x 3.16" LED
M1: 3.16' x 3.16' (W/ 3.16" x 3.16" LED)
Sign Description:
1. Illuminated Acrylic Signage





Front Elevation - Front View



General Lettering - Front View
Scale: 1/4" = 1'-0"
(1) sheet



General Lettering - Side View
Scale: 1/4" = 1'-0"



Client: Midwest Inc.
131 E New Market
Channahon, IL 61515
Phone: 815-399-0315
Fax: 815-399-0315
www.midwestinc.com

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FILE #E45295

All drawings are to be used as a guide only. The contractor is responsible for verifying all dimensions and details on site. CIMA is not responsible for any errors or omissions in this document.

Client: Midwest Inc.
Date: 11/15

Address: Channahon, IL 61515

SIGN #7

48" Topgolf Logo Cabinet

Color: White
Material: Aluminum
Finish: Powder Coat
Dimensions: 48" H x 48" W x 4" D
Weight: 15 lbs
Lead Time: 4-6 weeks



SIGN #9

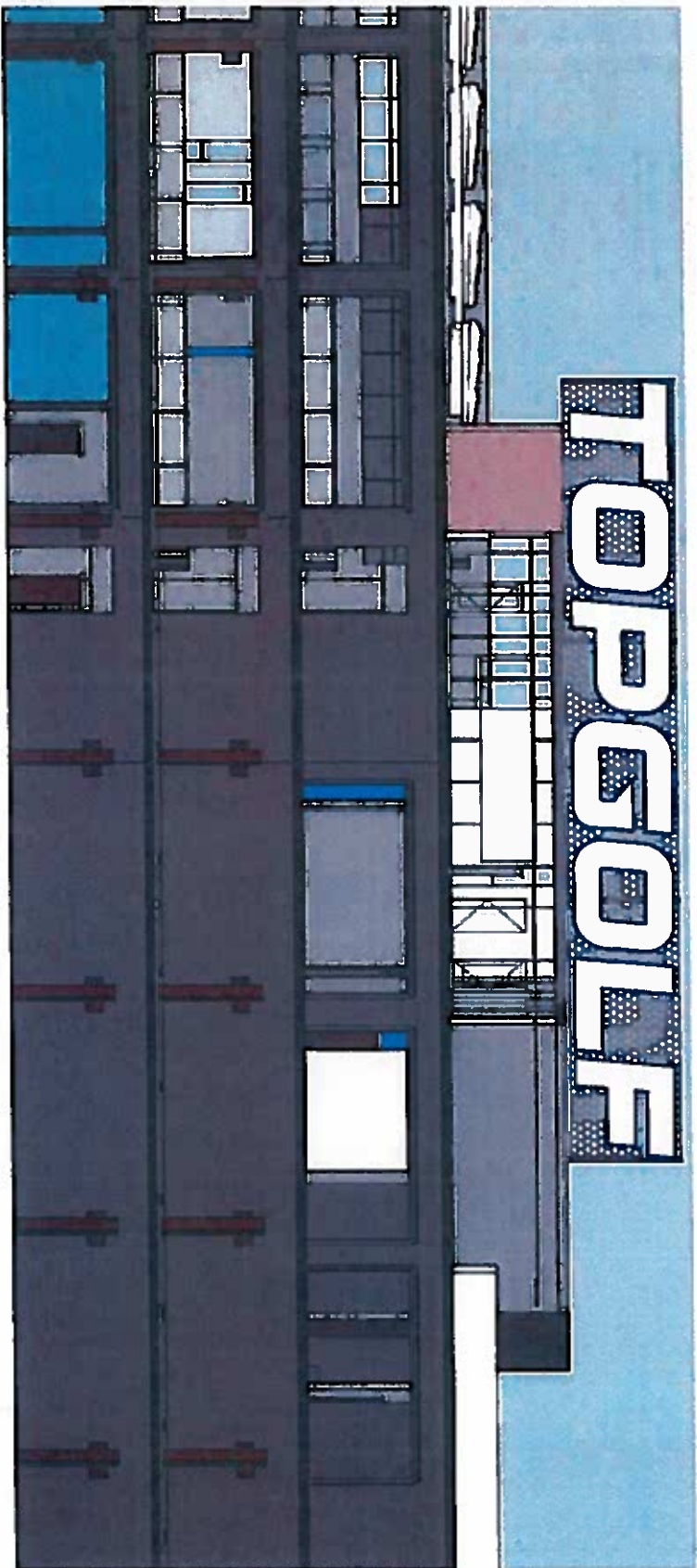
TOPGOLF Channel Letters

- 1 Color & Finish
- 2 304 SS or satin brn
- 3 1/2" x 3/8" Veneered Acrylic
- 4 1/2" Depth
- 5 Level installation into horizontal or vertical / angled or back side / Double & curved / both end
- 6 1/4" hex w/round radius bottom
- 7 Sign structure shall be determined



Channel Letters - Front View

Channel Letters - Side View



CIMA
1711 River Bluffs Blvd
Channahon, IL 61018

Phone: 815.398.0375
Fax: 815.398.0377
www.cimainc.com

FILE #E465295

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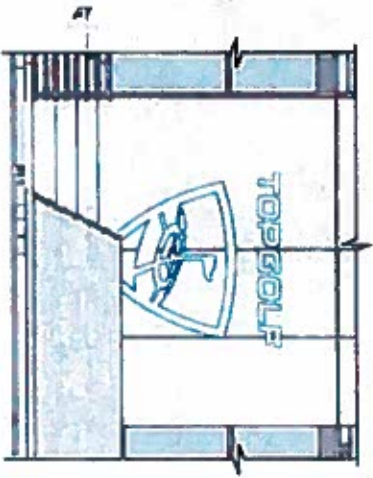
Client Request
Date: 5/15

Joe DICK
Address: Palmdale, CA

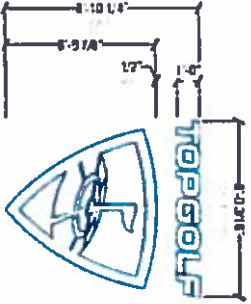
SIGN #10

130° TOPGOLF - w/ Logo Social Media

Color & Materials
P: 156/725 - Vert in R
L: 216 On: 156/725/42/2
1 1/2" Description
Material: Sign Board
Finish: Matte
Mount: Adhesive
Notes: See 211 for details
Material: PVC
Notes: See 211 for details



11 Front Elevation - Profile
Scale: 3/16" = 1'-0"



12 Channel Letters - Front View
Scale: 3/16" = 1'-0"



13 Channel Letters - Side View
Scale: 3/16" = 1'-0"



Client: National Ave
771 New Bluff Blvd
Chickadee, PA 17914
Office: 717-308-0315
Fax: 717-381-0317
www.cimainc.com

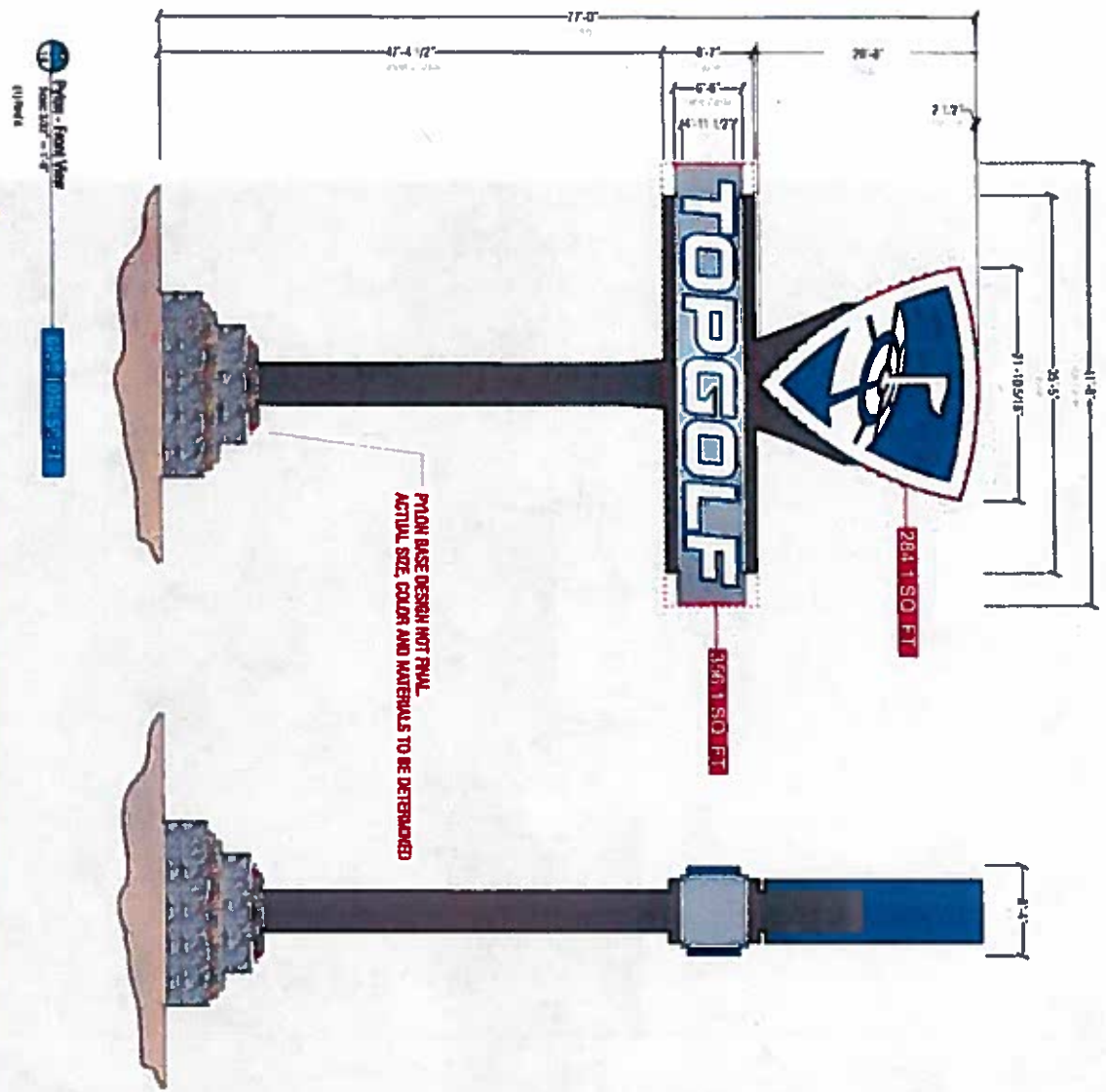
This is an initial design. It is subject to change without notice. The client is responsible for providing all necessary information and specifications. The client is responsible for obtaining all necessary permits and approvals. The client is responsible for providing all necessary materials and labor. The client is responsible for providing all necessary information and specifications. The client is responsible for obtaining all necessary permits and approvals. The client is responsible for providing all necessary materials and labor.

FILE #E465295

At Risk: Sign is to be installed by the client. The client is responsible for providing all necessary information and specifications. The client is responsible for obtaining all necessary permits and approvals. The client is responsible for providing all necessary materials and labor.

Client: National Ave
771 New Bluff Blvd
Chickadee, PA 17914

Job #2022
Address:
Reference: 100



SIGN # 11

77.0' Pylon

- 1. 114" x 114" x 1/2" Aluminum
- 2. 114" x 114" x 1/2" Aluminum
- 3. 114" x 114" x 1/2" Aluminum
- 4. 114" x 114" x 1/2" Aluminum
- 5. 114" x 114" x 1/2" Aluminum
- 6. 114" x 114" x 1/2" Aluminum
- 7. 114" x 114" x 1/2" Aluminum
- 8. 114" x 114" x 1/2" Aluminum
- 9. 114" x 114" x 1/2" Aluminum
- 10. 114" x 114" x 1/2" Aluminum
- 11. 114" x 114" x 1/2" Aluminum
- 12. 114" x 114" x 1/2" Aluminum
- 13. 114" x 114" x 1/2" Aluminum
- 14. 114" x 114" x 1/2" Aluminum
- 15. 114" x 114" x 1/2" Aluminum

- File Description
1. 114" x 114" x 1/2" Aluminum
 2. 114" x 114" x 1/2" Aluminum
 3. 114" x 114" x 1/2" Aluminum
 4. 114" x 114" x 1/2" Aluminum
 5. 114" x 114" x 1/2" Aluminum
 6. 114" x 114" x 1/2" Aluminum
 7. 114" x 114" x 1/2" Aluminum
 8. 114" x 114" x 1/2" Aluminum
 9. 114" x 114" x 1/2" Aluminum
 10. 114" x 114" x 1/2" Aluminum
 11. 114" x 114" x 1/2" Aluminum
 12. 114" x 114" x 1/2" Aluminum
 13. 114" x 114" x 1/2" Aluminum
 14. 114" x 114" x 1/2" Aluminum
 15. 114" x 114" x 1/2" Aluminum



Coates, Jennifer

From: Coates, Jennifer
Sent: Thursday, July 25, 2019 10:35 AM
To: 'domzala@ballardspahr.com'
Cc: Reisinger, Edward; Costello, Eric; Austin, Natawna B.
Subject: Public Notification Instructions for Hearing on Bill 19-0420
Attachments: PNI - Letter -19-0420 VAR TOPGOLF.DOCX; LU Form - Contacts for Sign Posting CU VAR Art 32.docx; Sample - Certificate of Posting - Attachment C.DOCX

Alyssa,

Attached is the information you will need to post a public hearing notice for the subject bill to be heard by the Baltimore City Council's Land Use and Transportation Committee on **August 28, 2019 at 1:05 PM.**

I have also attached a contact list for sign makers and a sample certification template.

Feel free to contact me If you need more information.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.



Jennifer L. Coates
Senior Legislative Policy Analyst
Office of Council Services

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

jennifer.coates@baltimorecity.gov

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596



CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, 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: Topgolf USA Baltimore, LLC
c/o Alyssa Domzal, Esquire, Ballard Spahr

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

Date: July 25, 2019

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING –CONDITIONAL USE AND VARIANCES

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

Bill: City Council Bill No. 19-0420

Date: Wednesday, August 28, 2019

Time: 1:05 p.m.

Place: City Council Chambers, 4th 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 § 5-602 – Major variances: Conditional uses.

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

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

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Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

Certification of Postings

Certification of the sign posting (*see example on Attachment C*), in duplicate, must be received 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 certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Posting Deadline: August 7, 2019
Certificate of Posting Deadline: August 23, 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 Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov

ATTACHMENT A

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

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 19-0420**

The Land Use Committee of the Baltimore City Council will meet on Wednesday, August 28, 2019 at 1:05 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. 19-0420.

CC 19-0420 ORDINANCE - Zoning - Signage Variances - 1411 Warner Street and 301 Stockholm Street

FOR the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

BY authority of

Article 32 - Zoning
Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306 (C-5-DC)), and 17-404
Baltimore City Revised Code
(Edition 2000)

Applicant: Topgolf USA Baltimore, LLC

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

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

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

SEND BILL FOR THIS SIGN POSTING TO:

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

Ms. Alyssa Domzal, Esquire
Ballard Spahr LLP
300 East Lombard Street, 18th Fl.
Baltimore, MD 21202
(410) 528-5510

**ZONING
SUBTITLE 6 – NOTICES**

ARTICLE 32, § 5-602

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

§ 5-602. Major variances; Conditional uses.

(a) *Hearing required.*

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, 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 read.

(b) *Notice of hearing required.*

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

(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 variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

(d) *Number and manner of posted notices.*

(1) 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) 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;

(iii) 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

(iv) 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 notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

(Ord. 16-581; Ord. 17-015.)



Baltimore City Council
Certificate of Posting - Public Hearing Notice

City Council Bill No.:

Today's Date: [Insert Here]

(Place a picture of the posted sign in the space below.)

Address:

Date Posted:

Name:

Address:

Telephone:

-
- Email to: 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



THE NOTICE OF HEARING SIGN(S) MUST BE POSTED IN ACCORDANCE WITH ARTICLE 32; SECTION 5-602 (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 or 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

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

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



11

Faint, illegible text covering the majority of the page, likely bleed-through from the reverse side.

**CITY OF BALTIMORE
COUNCIL BILL 19-0420
(First Reader)**

Introduced by: Councilmembers Reisinger and Costello

At the request of: Topgolf USA Baltimore, LLC

Address: c/o Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18th Floor,
Baltimore, Maryland 21202

Telephone: 410-528-5510

Introduced and read first time: July 22, 2019

Assigned to: Land Use Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Signage Variances –**
3 **1411 Warner Street and 301 Stockholm Street**

4 FOR the purpose of granting variances from certain signage regulations for the establishment of
5 signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301
6 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red
7 on the accompanying plat.

8 BY authority of

9 Article 32 - Zoning
10 Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306
11 (C-5-DC)), and 17-404
12 Baltimore City Revised Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That
15 pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 17-404 of Article 32 - Zoning,
16 permission is granted for a variance from the canopy sign height regulation of 2 feet, as specified
17 in § 17-404, to permit a canopy sign with a height of 3.5 feet, designated as Sign 1 on the plan
18 entitled “Signage Plan”, dated March 7, 2019.

19 **SECTION 2. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
20 201(a), 5-305(a), and 17-404 of Article 32 - Zoning, permission is granted for a variance from
21 the canopy sign width regulation of 80% of the width of the canopy, as specified in § 17-
22 404(b)(6), to permit a canopy sign with a width of 89% of the width of the canopy, designated as
23 Sign 1 on the Signage Plan.

24 **SECTION 3. AND BE IT FURTHER ORDAINED**, That pursuant to the authority granted by §§ 5-
25 201(a), 5-305(a), and 17-404 of Article 32 - Zoning, permission is granted for a variance from

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

Council Bill 19-0420

1 the canopy sign height regulation of 2 feet, as specified in § 17-201 (Table 17-201: Sign
2 Regulations), to permit a canopy sign with a height of 19.3 feet, designated as Sign 2 on the
3 Signage Plan.

4 **SECTION 4. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
5 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
6 variance from the canopy sign area regulation of 111.76 square feet, being 2 feet multiplied by
7 55.88 feet in canopy width, as specified in § 17-201 (Table 17-201: Sign Regulations), to permit
8 a canopy sign with an area of 418.2 square feet, designated as Sign 2 on the Signage Plan.

9 **SECTION 5. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
10 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
11 variance from the freestanding pylon sign height regulation of 20 feet, as specified in § 17-201
12 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with a height of 77 feet,
13 designated as Sign 11 on the Signage Plan.

14 **SECTION 6. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
15 201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a
16 variance from the freestanding pylon sign area regulation of 50 feet, as specified in § 17-201
17 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with an area of 640.2
18 square feet, designated as Sign 11 on the Signage Plan.

19 **SECTION 7. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
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21 variance from the freestanding pylon sign width regulation of 6 feet, as specified in § 17-201
22 (Table 17-201: Sign Regulations), to permit a freestanding pylon sign with a width of 41.5 square
23 feet, designated as Sign 11 on the Signage Plan.

24 **SECTION 8. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by §§ 5-
25 201(a), 5-305(a), and 17-306 (Table 17-306) of Article 32 - Zoning, permission is granted for a
26 variance from the regulation of the maximum cumulative area of 1,200 square feet of signs
27 permitted on a lot, as specified in § 17-306 (Table 17-306: Sign Regulations) to permit a
28 maximum cumulative area of signs of 3,487.73 square feet on the lot.

29 **SECTION 9. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
30 accompanying plat and in order to give notice to the agencies that administer the City Zoning
31 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
32 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
33 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
34 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
35 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
36 the Zoning Administrator.

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

**CITY OF BALTIMORE
COUNCIL BILL 19-0420
(First Reader)**

Introduced by: Councilmembers Reisinger and Costello

At the request of: Topgolf USA Baltimore, LLC

Address: c/o Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18th Floor,
Baltimore, Maryland 21202

Telephone: 410-528-5510

Introduced and read first time: July 22, 2019

Assigned to: Land Use Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

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5 signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301
6 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red
7 on the accompanying plat.

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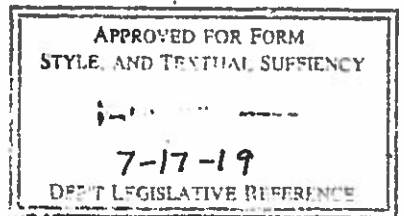
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INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmembers Reisinger and Costello
At the request of: Topgolf USA Baltimore, LLC
Address: c/o Alyssa Domzal, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18th Floor,
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Telephone: 410-528-5510

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Signage Variances –
1411 Warner Street and 301 Stockholm Street**

FOR the purpose of granting variances from certain signage regulations for the establishment of signs on the properties known as 1411 Warner Street (Block 0845, Lot 001) and 301 Stockholm Street (Block 0984, Lot 001), which lots are to be consolidated, as outlined in red on the accompanying plat.

BY authority of

Article 32 - Zoning
Sections 5-201(a), 5-305(a), 17-201 (Table 17-201 (C-5-DC)), 17-306 (Table 17-306 (C-5-DC)), and 17-404
Baltimore City Revised Code
(Edition 2000)

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

SECTION 4. AND BE IT FURTHER ORDAINED, That pursuant to the authority granted by §§ 5-201(a), 5-305(a), and 17-201 (Table 17-201) of Article 32 - Zoning, permission is granted for a variance from the canopy sign area regulation of 111.76 square feet, being 2 feet multiplied by 55.88 feet in canopy width, as specified in § 17-201 (Table 17-201: Sign Regulations), to permit a canopy sign with an area of 418.2 square feet, designated as Sign 2 on the Signage Plan.

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

**STATEMENT OF INTENT
FOR**

1411 Warner Street and 301 Stockholm Street

1. Applicant's name, address, and telephone number: Topgolf USA Baltimore, LLC, c/o Alyssa Domzal, Esq., Ballard Spahr LLP, 300 East Lombard Street, 18th Floor, Baltimore, MD 21202, Telephone: (410) 528-5510
2. All proposed zoning changes for the property: None. Signage variances are being requested under the existing C-5-DC zoning.
3. All intended uses of the property: Golf entertainment facility, to be approved as a conditional use (Recreation: Outdoor) pursuant to a separate appeal to the Board of Municipal and Zoning Appeals
4. Current owner's name, address, and telephone number: Mayor and City Council of Baltimore, 417 East Fayette Street, Baltimore, Maryland 21202
5. The property was acquired by the current owner by deeds recorded in the Land Records of Baltimore City at: Liber FMC 11296, Page 19 (1411 Warner Street), and Liber SEB 16, Page 502 (301 Stockholm Street).
6. (a) There are contracts contingent on the requested legislative authorization.
(b) If there are contracts contingent on the requested legislative authorization:
 - (i) The names and addresses of all parties to the contracts are:

Topgolf Baltimore USA, LLC ("Topgolf")
8750 N. Central Expressway, Suite 1200
Dallas, Texas 75231

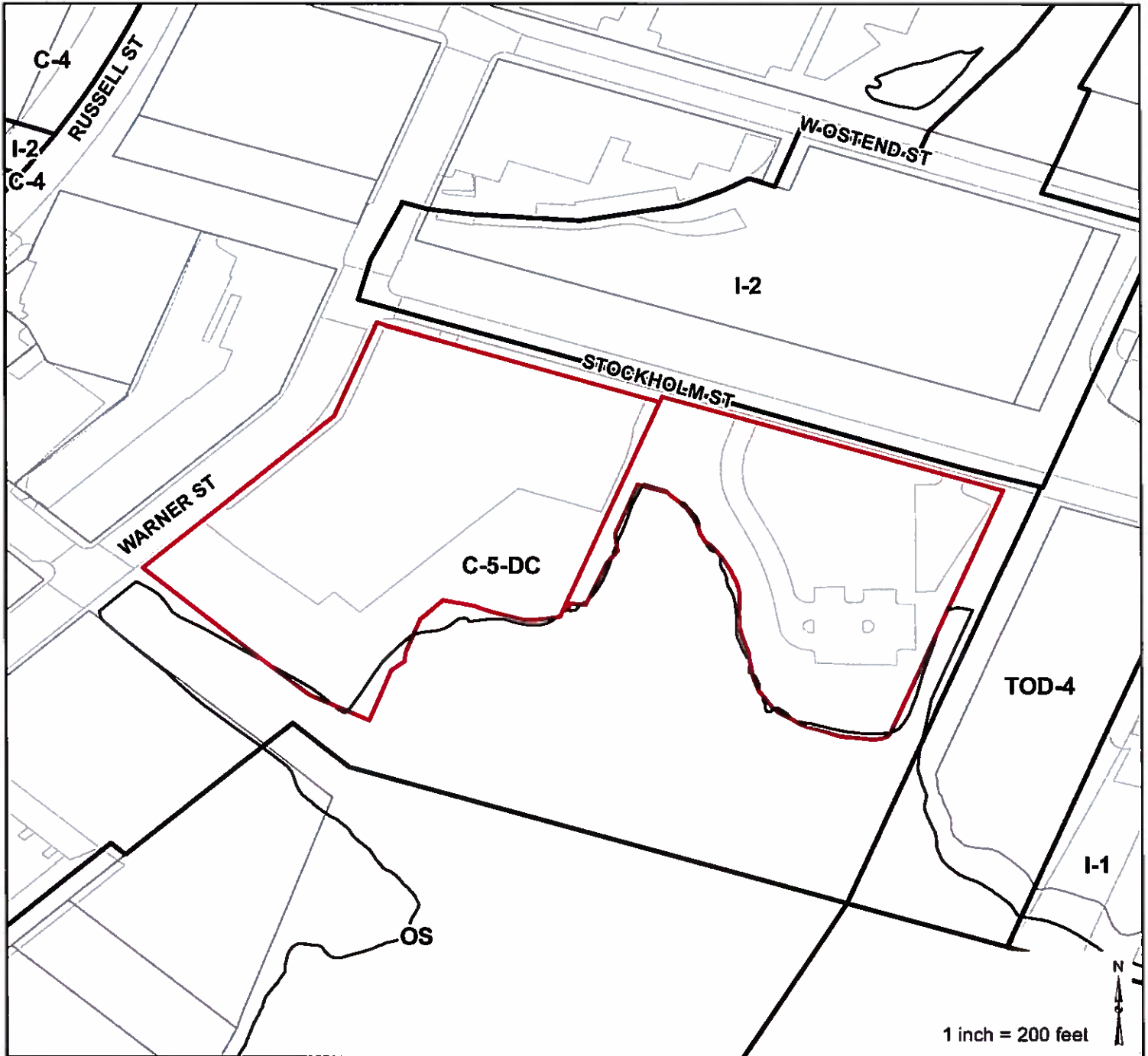
CBAC Borrower, LLC ("CBAC")
1525 Russell Street
Baltimore, Maryland 21230

Mayor and City Council of Baltimore ("City")
Department of Housing and Community Development
417 East Fayette Street, Room 1346
Baltimore, Maryland 21202
 - (ii) The purpose, nature, and effect of the contract are:

CBAC has agreed to assign to Topgolf its right to purchase the property from the City, contingent upon Topgolf receiving all necessary land use approvals for the planned golf entertainment facility.



**SHEET NO. 65 OF THE ZONING DISTRICT MAP
OF THE BALTIMORE CITY ZONING CODE**



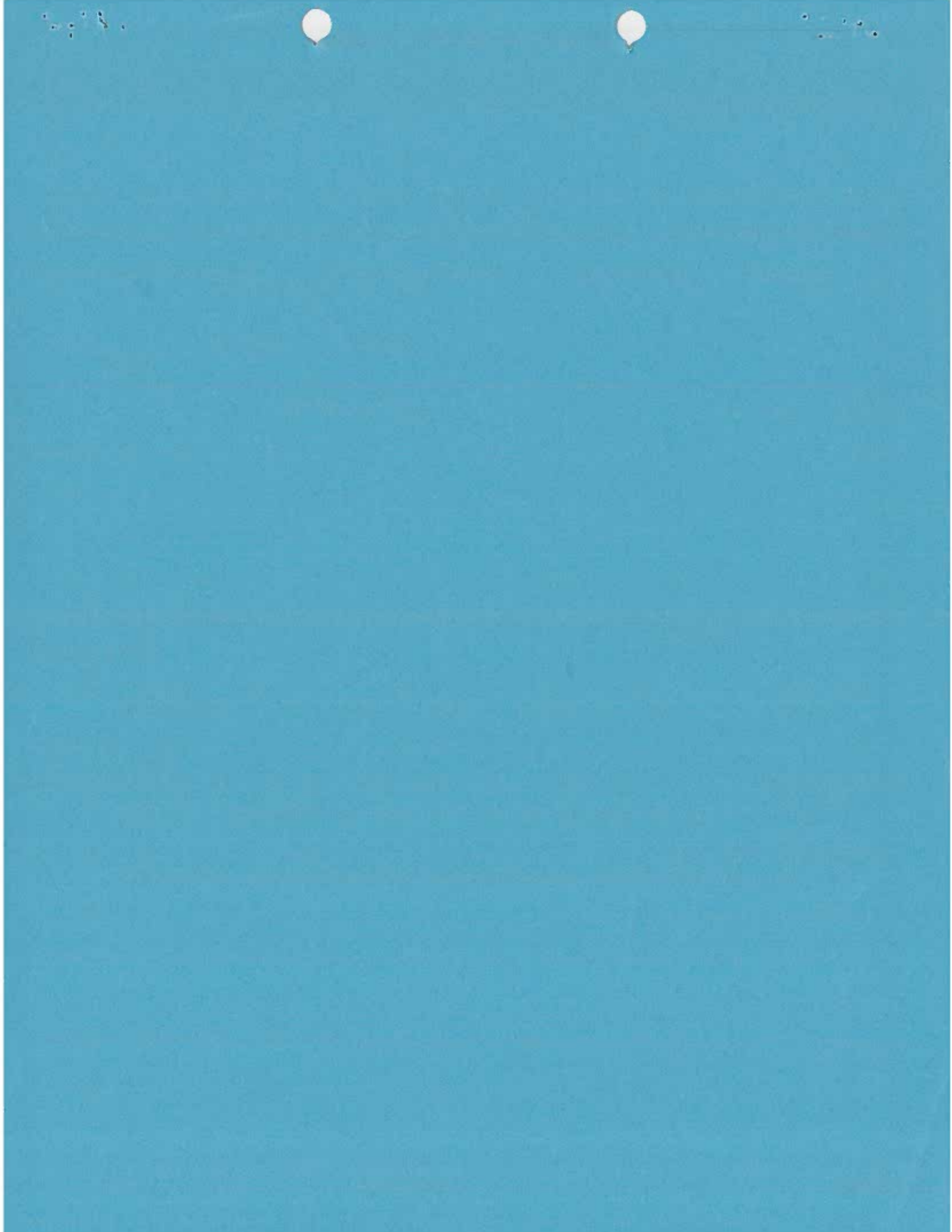
In connection with the properties known as 1411 Warner Street and 301 Stockholm Street. The applicant is requesting certain variances for signage on the aforementioned properties, as outlined in red above.

Ward 21	Section 90	Block 0845	Lots 001
Ward 23	Section 70	Block 0984	Lots 001

Mayor

President, City Council





ACTION BY THE CITY COUNCIL

JUL 22 2019
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON August 28, _____ 20 19

COMMITTEE REPORT AS OF September 9, _____ 20 19

_____ FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edmund Keese
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:

SEP 09 2019
20

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

THIRD READING _____ SEP 23 2019
20

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

THIRD READING (ENROLLED) _____ 20 _____

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

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

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

President

Chief Clerk