



BILL SYNOPSIS

Committee: Ways and Means

Bill: 24-0552

Zoning - Commercial 1 Village Center District - Conditional Use Retail Goods Establishment (With Alcoholic Beverage Sales) - Variances - 6242 Bellona Avenue

Sponsor: Councilmember Conway

Introduced: June 10, 2024

For the purpose of permitting, subject to certain conditions, the continued operation and expansion of a retail goods establishment (with alcoholic beverage sales) on the property known as the Pinehurst Wine Shoppe, 6242 Bellona Avenue (Block 4976, Lot 011), as outlined in red on the accompanying plat; granting a variance from corner side-yard setback requirements; and providing for a special effective date.

Effective: On the date it is enacted

Agency Reports

Law	Favorable with the finding of facts
Department of Housing and Community Development	None as of this writing
Baltimore Development Corporation	None as of this writing
Planning Commission	Favorable
Board of Municipal and Zoning Appeals	None as of this writing
Parking Authority of Baltimore City	Favorable
Fire Department	Not Opposed
Department of Transportation	None as of this writing

Analysis

Current Law

Baltimore City Code

Article 32 – Zoning

Sections 5-201(a), 5-305(a), and 5-308, 5-404, 5-405, 5-406, 5-507, 5-508, 10-203, 10-301, 14-336, and Table 10-301 (C-1-VC)

Background

If enacted, Council Bill 24-0552 would allow Pinehurst Wine Shoppe to build two additions on its existing structure: one to the north side of the building along Gittings Ave. and one to the west facing to the rear parking lot. The north side addition is proposed to house additional commercial space and expand patio space for outdoor seating. The north side would also create a new entry to the property from the parking lot. This property is in the 4TH Council District in the Bellona-Gittings neighborhood.

The Department of Planning/Planning Commission has provided extensive information regarding the site and its history in its agency report. See the attached report.

Additional Information

Fiscal Note: None.

Information Source(s): 24-0552, Baltimore City Code, and all agency reports received as of this writing.

Analysis by: Niya N. Garrett
Analysis Date: 09/25/2024

Direct Inquiries to (410) 396-1268



6242 Bellona Ave



6242 Bellona Ave

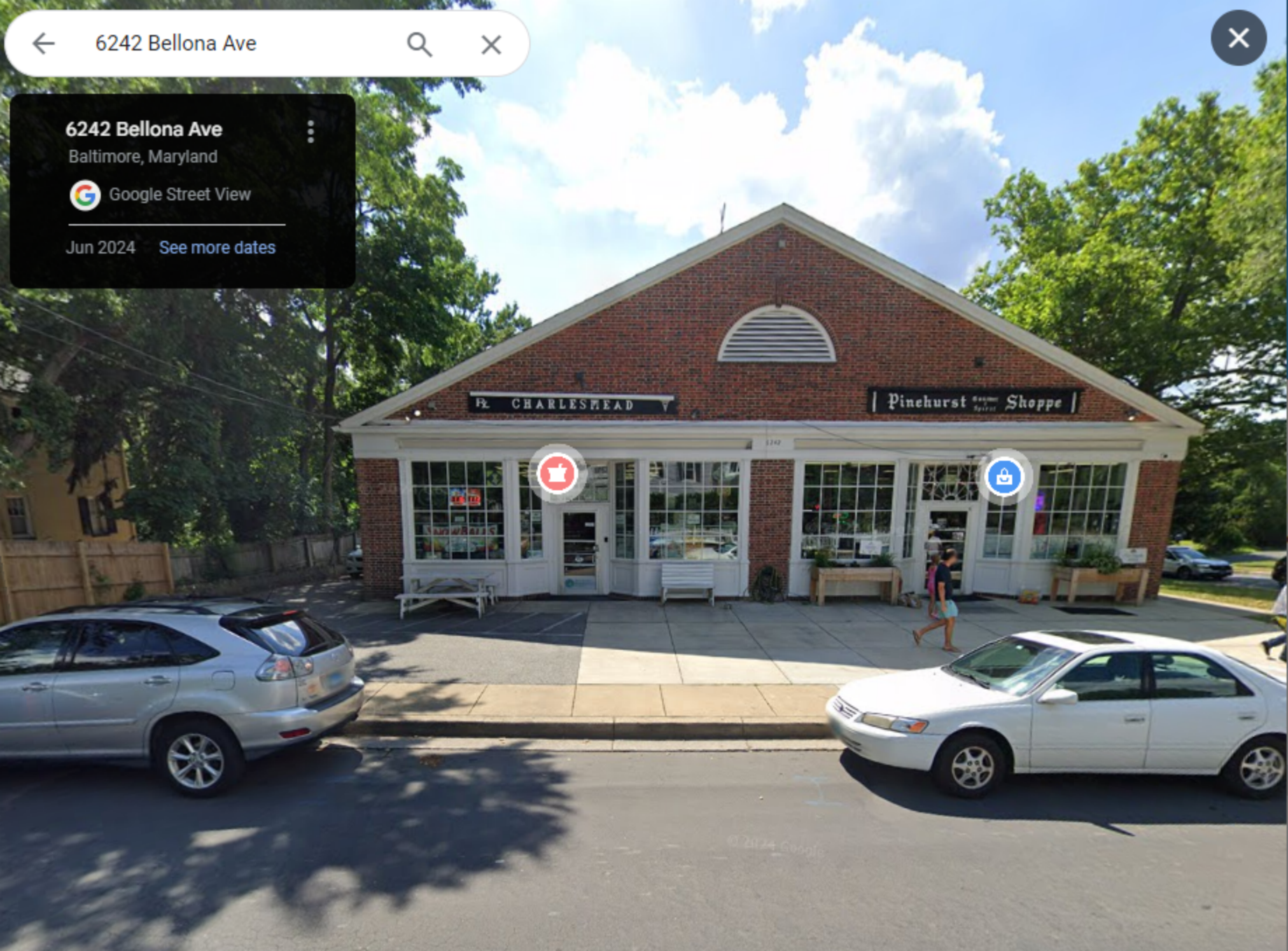
Baltimore, Maryland



Google Street View

Jun 2024

[See more dates](#)



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Council Bill 24-0552

Agency Reports

SEE ATTACHED

CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



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

September 24, 2024

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

Re: City Council Bill 24-0552 - Zoning – Commercial 1 Village Center District
– Conditional Use Retail Goods Establishment (With Alcoholic Beverage
Sales) – Variances – 6242 Bellona Avenue

Dear President and City Council Members:

The Law Department reviewed City Council Bill 24-0552 for form and legal sufficiency. The bill is for the purpose of permitting, subject to certain conditions, the continued operation and expansion of a retail goods establishment (with alcoholic beverage sales) on the property known as the Pinehurst Wine Shoppe, 6242 Bellona Avenue (Block 4976, Lot 011), and granting a variance from corner side-yard setback requirements. The ordinance would take effect on the date of its enactment.

The property in this case is in a C-1-VC District. The property has operated as a wine store since the 1950s. It seeks to expand its conditional use approval to add areas for the consumption of food on the side of the structure and increased storage space and sales space in the rear of the structure. The Zoning Code identifies retail sales establishments with alcohol sales as conditional uses in C-1-VC subject to approval by ordinance. See City Code, Art. 32, Table 10-301. Therefore, the expansion of this conditional use requires approval by ordinance. Section 14-336 of the Zoning Code provides the following additional requirements for retail goods establishment with alcohol sales: (1) must have a Class A or Class A-2 License from the Baltimore City Board of Liquor License Commissioners (2) may not be detrimental to or endanger the public health, safety, and welfare. 3) must be located at least 300 feet from any other existing retail goods establishment with alcoholic beverage sales. Additionally, Table 10-401 provides that no change to an existing setback in the C-1-VC District may be made unless approved as a variance. Lastly, Zoning Code table 16-406 states that for a retail goods establishment 1 parking space per 1,000 square feet of gross floor area is required. The owners submitted a statement of facts which indicates that a total of five parking spaces will be required after the proposed expansion; however, the owners intend to provide 12 parking spaces. The parking lot already exists, and it does not appear that it will be modified by these additions to the existing structure.

Since conditional use approval is needed, the Zoning Code requires that the City Council find the following facts:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

City Code, Art. 32, §§ 5-404(a); 5-406(a).

These findings must be guided by 14 required considerations:

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;
- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;
- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;
- (5) accessibility of the premises for emergency vehicles;
- (6) accessibility of light and air to the premises and to the property in the vicinity;
- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;
- (8) the preservation of cultural and historic landmarks and structures;
- (9) the character of the neighborhood;
- (10) the provisions of the City's Comprehensive Master Plan;
- (11) the provisions of any applicable Urban Renewal Plan;
- (12) all applicable standards and requirements of this Code;
- (13) the intent and purpose of this Code; and
- (14) any other matters considered to be in the interest of the general welfare.

City Code, Art. 32, §§ 5-406(b); 5-404(a) (review in accordance with standards in Section 5-406).

The City Council must consider this bill at a scheduled public hearing where it will make the appropriate findings of fact. Baltimore City Code, Art. 32, §§ 5-404(a); 5-406; 5-507; 5-602. The Law Department notes that the Planning Commission's Report includes a statement of facts submitted by the property owner that the City Council may reference in its review.

Certain procedural requirements apply to this bill because a conditional use is considered a "legislative authorization." Baltimore City Code, Art. 32, § 5-501(2)(ii). Specifically, notice requirements apply to the bill, and the bill must be referred to certain City agencies which are obligated to review the bill in specified manner. Baltimore City Code, Art. 32, §§ 5-504, 5-506, 5-602. Finally, certain limitations on the City Council's ability to amend the bill apply. Baltimore City Code, Art. 32, § 5-507(c).

The bill is the appropriate method for the City Council to review the facts and make the determination as to whether the legal standard for expanding a conditional use has been met.

Assuming the required findings are made at the hearing and all procedural requirements are met, the Law Department can approve the bill for form and legal sufficiency.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michele M. Toth".

Michele M. Toth
Assistant Solicitor

cc: Stephen Salsbury
Nina Themelis
Tiffany Maclin
Elena DiPietro
Hilary Ruley
Ashlea Brown
Desiree Luckey
Ahleah Knapp

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR <i>Chris Ryer</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0552 / ZONING - COMMERCIAL 1 VILLAGE CENTER DISTRICT - CONDITIONAL USE RETAIL GOODS ESTABLISHMENT (WITH ALCOHOLIC BEVERAGE SALES) - VARIANCES - 6242 BELLONA AVENUE		

TO

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

DATE: August 2, 2024

At its regular meeting of August 1, 2024, the Planning Commission considered City Council Bill #24-0552, for the purpose of permitting, subject to certain conditions, the continued operation and expansion of a retail goods establishment (with alcoholic beverage sales) on the property known as the Pinehurst Wine Shoppe, 6242 Bellona Avenue (Block 4976, Lot 011), as outlined in red on the accompanying plat; granting a variance from corner side-yard setback requirements; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #24-0552 and adopted the following resolutions, with seven members being present (six in favor, one opposed):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0552 be **approved** 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: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

July 11, 2024

REQUEST: City Council Bill #24-0552/ Zoning - Commercial 1 Village Center District - Conditional Use Retail Goods Establishment (With Alcoholic Beverage Sales) - Variances - 6242 Bellona Avenue:

For the purpose of permitting, subject to certain conditions, the continued operation and expansion of a retail goods establishment (with alcoholic beverage sales) on the property known as the Pinehurst Wine Shoppe, 6242 Bellona Avenue (Block 4976, Lot 011), as outlined in red on the accompanying plat; granting a variance from corner side-yard setback requirements; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Caitlin Audette/ Marie McSweeney Anderson

PETITIONER: Pinehurst Wine Shoppe, LLC, c/o Chase Hoffberger, AB Associates

OWNER: SSW, LLC

SITE/GENERAL AREA

Site Conditions: 6242 Bellona Avenue is located on the southwest corner of the intersection with Gittings Avenue. This property contains 0.428± acres of land and is currently improved with a one-story commercial building measuring approximately 65' by 65'. This site is zoned C-1-VC.

General Area: This property is located in the northeastern corner of the Bellona-Gittings neighborhood, which is predominantly residential in nature, with a majority of the housing stock comprised of single-family homes, but has some apartment buildings.

HISTORY

- A minor subdivision was approved by the Planning Commission on October 29, 2015, that subdivided a portion of the adjacent 6240 Bellona Avenue for transfer and consolidation into 6242 Bellona Avenue (the parking lot).

ANALYSIS

Background: The Pinehurst Wine Shoppe has been in operation at this location since the 1950s. The use of the site is not shifting; however, owners are proposing to build two additions which require conditional use approval and a variance. The proposed additions are: one to the north side of the building along Gittings Avenue and one to the west facing to the rear parking lot. The north side addition is proposed to house additional commercial space and expanded patio space for outdoor seating. The north side addition would also create a new entry to the property from

the parking lot. The required side lot setback for C-1-VC is 25 feet. The proposed addition would provide a 9 foot, 3 inch setback at the smallest point. Therefore, the north side addition requires a 15 foot, 9 inch variance. The west facing rear addition is for additional storage and requires no additional variance.

This site is the only commercially zoned property within and serving the immediate area. The area surrounding the property is a mix of low residential density R-1-E, R-1-E, and R-1-C zoning. Nearby are R-5 and R-1 zoning districts as well. This area is already fully developed and additional space is not available to increase the property size. There is additional residential development is occurring nearby to the north of the site across the city/county line on Bellona Avenue in Baltimore County.

There are no changes proposed to traffic flow or to the number of parking spaces. There is no proposed increase in height. There is no change in use or type of business proposed.

A memorandum with proposed findings for the requested conditional use approval as well as for the required findings for the needed corner side-yard setback variance are included with the application for the Planning Commission's consideration.

Additional points of interest:

- *The interior side yard requirement for R-1-E zoning is 10 feet and the corner side lot requirement is 20 feet.*
- *Comparative C-1-VC zoned properties in other areas have 0% rear yard and side yard setbacks on some areas on their site (see 4800 Roland Ave as an example)*

Equity:

Staff believes there will be no discernible negative impacts to the surrounding community from this proposal, as the use has been in continuous operation since the 1950s. Staff does not anticipate any impact to staff time or resources devoted to this project beyond routine requirements of development review. Design review is already complete at a staff level and designs are complementary with the historic character of the building.

Pinehurst has hosted multiple community meetings since 2019 regarding changes to the site. Most recently, the Council Office has been engaged in public meetings and conversations with Bellona Gittings and Pinehurst. There have been attempts made to reach an agreement for a Memorandum of Understanding, but this has not yet been solidified.

Notification: Bellona Gittings Improvement Association leaders were notified of this agenda item. Notification went out to 800+ members of the Northern Planning District listserv, including residents within and along the York Road corridor in adjacent communities to Bellona Gittings.

Recorded dates of public meetings between Bellona Gittings and the applicants:

- May 23, 2023 at Church of the Redeemer
- May 28, 2024 at Church of the Redeemer

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Chris Ryer
Director

Finding of Facts

The applicant submits to the Baltimore City Planning Commission this memorandum regarding City Council Bill 2024-0552, for the purpose of expanding the structure at 6242 Bellona Avenue, requiring a conditional use ordinance. The applicant also seeks a variance from the minimum corner side-yard setback requirements on the north side of the property under Zoning Code Table 10-401.

6242 Bellona Avenue

6242 Bellona Avenue is a corner lot in the Bellona-Gittings neighborhood currently improved by a 4,000 square foot structure. The building is separated into two businesses. The business occupying the northern half of the building has been a retail goods establishment with alcohol sales since the 1950s. The Pinehurst Wine Shoppe now wants to expand its offerings to meet neighborhood demand—introducing new food and non-alcoholic beverage options—and also keep more of its current inventory in stock. Plans call for a 1,300 square foot expansion to the building’s northside and rear, allowing space for new coolers and storage areas; additional display cases; and a second cashier’s check-out area.

The Pinehurst Wine Shoppe has pursued the introduction of this legislation for multiple years and has earned broad support the Bellona-Gittings neighborhood. A memorandum of understanding with the Bellona-Gittings Neighborhood Association is currently in the final stages of negotiations.

6242 Bellona is zoned C-1-VC, which requires that any retail goods establishment (with alcoholic beverages sales) pursue a conditional use ordinance to expand or otherwise alter any building. In addition to the conditional use approval by ordinance, a variance must be granted to allow for the proposed expansion into the corner side-yard setback on the north side of the property. We address the conditional use first, followed by the variance.

ZC § 5-406: Conditional Use Approval Standards

As a guide to its decision on the facts of each case, the City Council must consider the following, where appropriate:

1. the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

Pinehurst Wine Shoppe does not propose to change the site’s use. It only intends to expand the footprint and its retail offerings. The expansion supports plans for a more sustainable business model and will accommodate a changing market demand. Since the pandemic, customers at Pinehurst Wine Shoppe—most of whom live in the Bellona-Gittings neighborhood—have expressed an interest in increased retail options that are either food-related or non-alcoholic beverages. Pinehurst’s proposed expansion will allow for the business to meet this demand.

2. the resulting traffic patterns and adequacy of proposed off-street parking and loading;

The proposed expansion will not affect the amount of off-street loading or parking. Pinehurst hopes that the expansion will lead to more customers. However, Zoning Code Table 16-406 only requires five spaces after the expansion. Pinehurst’s plans include 12 spaces. Additionally, business-related traffic is a small part of the activity at the Bellona-Gittings intersection. That should not change when the expansion is complete.

3. the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The surrounding area is comprised of single-family homes. Pinehurst has consulted extensively with the Bellona-Gittings neighborhood on the nature of this expansion and met on-site on multiple occasions with the highly impacted neighbors who live within 200 feet of the business. The proposed expansion will not impair present and future development in the area as the area is already fully developed with these single-family homes.

4. the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

There are no churches, schools, public structures, or other places of public gathering in the near proximity of Pinehurst Wine Shoppe. As mentioned, the business is neighbored by single-family homes in every direction. Pinehurst has communicated with those neighbors about the plans for this expansion.

5. accessibility of the premises for emergency vehicles;

The proposed expansion will have no impact on the accessibility of the premises for emergency vehicles. The expansion will create new means of egress into the building for emergency workers, in the event of emergency.

6. accessibility of light and air to the premises and to the property in the vicinity;

The proposed expansion will have no impact on the accessibility of light and air to the premises and to the properties in the vicinity.

7. the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

The proposed expansion will have no impact on utilities, access roads, drainage, or other necessary facilities that have been or will be provided. Those utilities, roads, drainage system, and other facilities are currently adequate and will not be affected.

8. the preservation of cultural and historic landmarks and structures;

The Bellona-Gittings neighborhood is recognized on the National Register of Historic Places. While this expansion will affect a structure within that neighborhood, it will not compromise the integrity or aesthetic of the building. The architect retained for this project has taken great care to ensure that the expansion augments and complements the existing structure.

9. the character of the neighborhood;

The Bellona-Gittings neighborhood is comprised of single-family homes. Almost all of the properties are zoned R-1-E. The subject property is zoned C-1-VC. It is the only property in the neighborhood to possess that zoning designation. The owners of the business have worked extensively with the Bellona-Gittings Neighborhood Association to ensure that the expansion will not compromise or affect the neighborhood's character. Rather, the expansion will increase the appeal and charm of this longstanding and beloved business.

10. the provisions of the City's Comprehensive Master Plan;

The proposed expansion aligns with the Comprehensive Master Plan's LIVE section, which concludes, among other things, that amenities of urban living include accessibility to retail. The Pinehurst Wine Shoppe is one of two walkable retail destinations for Bellona-Gittings residents. Its proprietors and the neighborhood both have a vested interest in the business's long-term success.

11. the provisions of any applicable Urban Renewal Plan;

No Urban Renewal Plan applies to this property or neighborhood.

12. all applicable standards and requirements of this Code;

The proposed expansion meets all applicable standards and requirements of the Zoning Code.

13. the intent and purpose of this Code; and

The Zoning Code functions, in part, to preserve and enhance the value of structures, communities, and neighborhoods. This expansion would enhance the value of the structure at 6242 Bellona Avenue and enhance the quality and value of the Bellona-Gittings neighborhood by improving the retail options within the area.

14. any other matters considered to be in the interest of the general welfare.

The Pinehurst Wine Shoppe's proprietors have spent multiple years working with the Bellona-Gittings Neighborhood Association to find an equitable and supportable plan for this expansion. A memorandum of understanding between the two entities is in the final stages of negotiations.

In addition, the City Council may not approve a conditional use or sign unless, after public notice and hearing and on consideration of the standards required by this subtitle, the Council finds that:

1. the establishment, location, construction, maintenance, or operation of the conditional use or sign would not be detrimental to or endanger the public health, safety, or welfare;

This expansion will not be detrimental to or endanger the public health, safety, or welfare. The expansion will not create additional noise, limit driver or pedestrian sight lines and access, or otherwise detrimentally affect the Bellona-Gittings neighborhood.

2. the use or sign would not be precluded by any other law, including an applicable Urban Renewal Plan;

This authorization is not precluded by any other law or Urban Renewal Plan

3. the authorization would not be contrary to the public interest; and

This authorization is not contrary to the public interest. There exists broad support among residents in the Bellona-Gittings neighborhood for an expansion of this business.

4. the authorization would be in harmony with the purpose and intent of this Code.

The Zoning Code exists in part to preserve and enhance the value of structures, communities, and neighborhoods. This expansion will enhance the value of the structure at 6242 Bellona Avenue, and it will also enhance the value of the Bellona-Gittings community and neighborhood by providing residents with convenient, nearby access to the types of retail offerings that the community would like to see at this business.

Variance Necessary for Expansion of 6242 Bellona Avenue

Plans for this expansion include an addition that will expand the building's structure into the existing north-side yard. The C-1-VC zone requires that buildings maintain a corner side-yard setback of 25 feet. The proposed expansion will provide for a setback of only nine feet and three inches. Thus, a 15-foot, nine-inch variance from the corner side-yard setback requirement is necessary.

ZC § 5-308: Variance Approval Standards

Granting a variance requires the City Council find in part that, because of the structure or property's physical surroundings, shape, or conditions, an unnecessary hardship or practical difficulty would result if the Zoning Code were strictly followed. This standard requires applicants establish: (1) uniqueness, (2) an unnecessary hardship or practical difficulty imposed by the Code, and (3) that the uniqueness is the proximate cause of that hardship. The Council must also find that the request meets elements outlined § 5-308(b), addressed at the end of this memorandum.

Uniqueness

This property is unique because it is the only commercial property in the highly residential Bellona-Gittings neighborhood. The property is also in one of only five C-1-VC zones in all of Baltimore City.

Unnecessary Hardship or Practical Difficulty

Increasingly, retail goods establishments with class A liquor licenses have been seeking out ways to accommodate the influx of new products to the market. Community-based stores such as Pinehurst have also worked hard to meet market demand for non-alcoholic products, including food. Pinehurst's goals are no different. However, the business presently occupies a relatively small footprint, making an expansion necessary. Expanding onto the front is not feasible, and an expansion into the back would affect parking, moving cars onto Bellona or Gittings. An expansion into the open side yard is the most reasonable route.

Uniqueness as the Proximate Cause of Hardship or Difficulty

Pinehurst is nestled into a particularly residential area. Much of the business's clientele hails from the Bellona-Gittings neighborhood and the neighborhoods in immediate proximity. For years, the business has been fielding requests for a more diversified inventory, complete with additional food options and non-alcoholic beverages. An expansion of the premises is necessary to cater to that market demand.

Summary and Conclusion

The Pinehurst Wine Shoppe is an institution in the Bellona-Gittings neighborhood that wishes to expand to meet customer demand for a diversified and broader inventory. An ordinance is necessary for this expansion to occur. Any material expansion of the existing structure will require a variance from the C-1-VC zone's corner side-yard setback requirements. The proposal has broad community support, and the business's proprietors have been in constant communication with the Bellona-Gittings Neighborhood Association about their plans for the expansion.

TRANSMITTAL MEMO

TO: Council President Nick J. Mosby
FROM: Peter Little, Executive Director
DATE: July 15, 2024
RE: City Council Bill 24-0552



I am herein reporting on City Council Bill 24-0552 introduced by Councilmember Conway at the request of Pinehurst Wine Shoppe, LLC, Chase Hoffberger, AB Associates.


The purpose of this bill is to continue the operation and expansion of retail goods establishments (with alcoholic beverage sales) on the property known as the Pinehurst Wine Shoppe, 6242 Bellona Avenue (Block 4976, Lot 011) and granting a variance from corner side-yard setback requirements.

The Parking Authority of Baltimore City (PABC) has reviewed the proposed legislation. The proposed legislation does not mention parking. The parcel is within the neighborhood business (C-1-VC) district which is exempt from parking requirements (§ 16-601). Floor plans were submitted and while not required, on-site parking will be provided which can help reduce pressure on parking in the neighborhood. PABC staff conducted a site visit in July 2024 and the site contains a parking area behind the building. The parcel indicated in the legislation is not adjacent to any programs managed by the PABC.

The applicant intends to continue the use of the property with the conditional use and expansion of an existing structure. When building plans and uses are submitted, PABC will be involved through Site Plan Review Committee to ensure that loading demands are adequately addressed and that effects of loading are mitigated.

This bill will have no or minimal fiscal impact on PABC programs.

Based on the comments above, the PABC respectfully requests a favorable report for City Council Bill 24-0552.

F R O M	Name & Title	James W. Wallace, Fire Chief <i>JW</i>	CITY OF BALTIMORE MEMO	
	Agency Name & Address	Baltimore City Fire Department 401 E. Fayette Street, Mezzanine		
	Subject	City Council Bill #24-0552 - Zoning – Commercial 1 Village Center - Conditional Use Retail Goods Establishment (With Alcoholic Beverages Sales) – Variances – 6242 Bellona Avenue		

TO: The Honorable Nick J. Mosby, President
And All Members of the Baltimore City Council
City Hall, Room 408

DATE: June 28, 2024

The Baltimore City Fire Department (BCFD) has no opposition to Council Bill 24-0552. The location must comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. The location shall comply with the Building, Fire, and Related Codes of Baltimore City 2021 Edition (As enacted by Ord. 24-341 on May 22, 2024) and applicable Maryland laws.

The above does not negate any requirements for submission of plans to the Office of the Fire Marshal for review of construction, fire detection/notification/suppression systems, and automatic sprinkler installation. The location may be subject to an annual fire inspection and/or permits from the Office of the Fire Marshal.

JW/kw

Council Bill 24-0552

Additional Materials

SEE ATTACHED

Baltimore City Council
Certificate of Posting - Public Hearing
Notice

City Council Bill No.: 24-0552

Today's Date: Sept 10, 2024

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

Pictures of posted signs on next pages

Address: 6242 Bellona Avenue

Date Posted: Sept 8, 2024

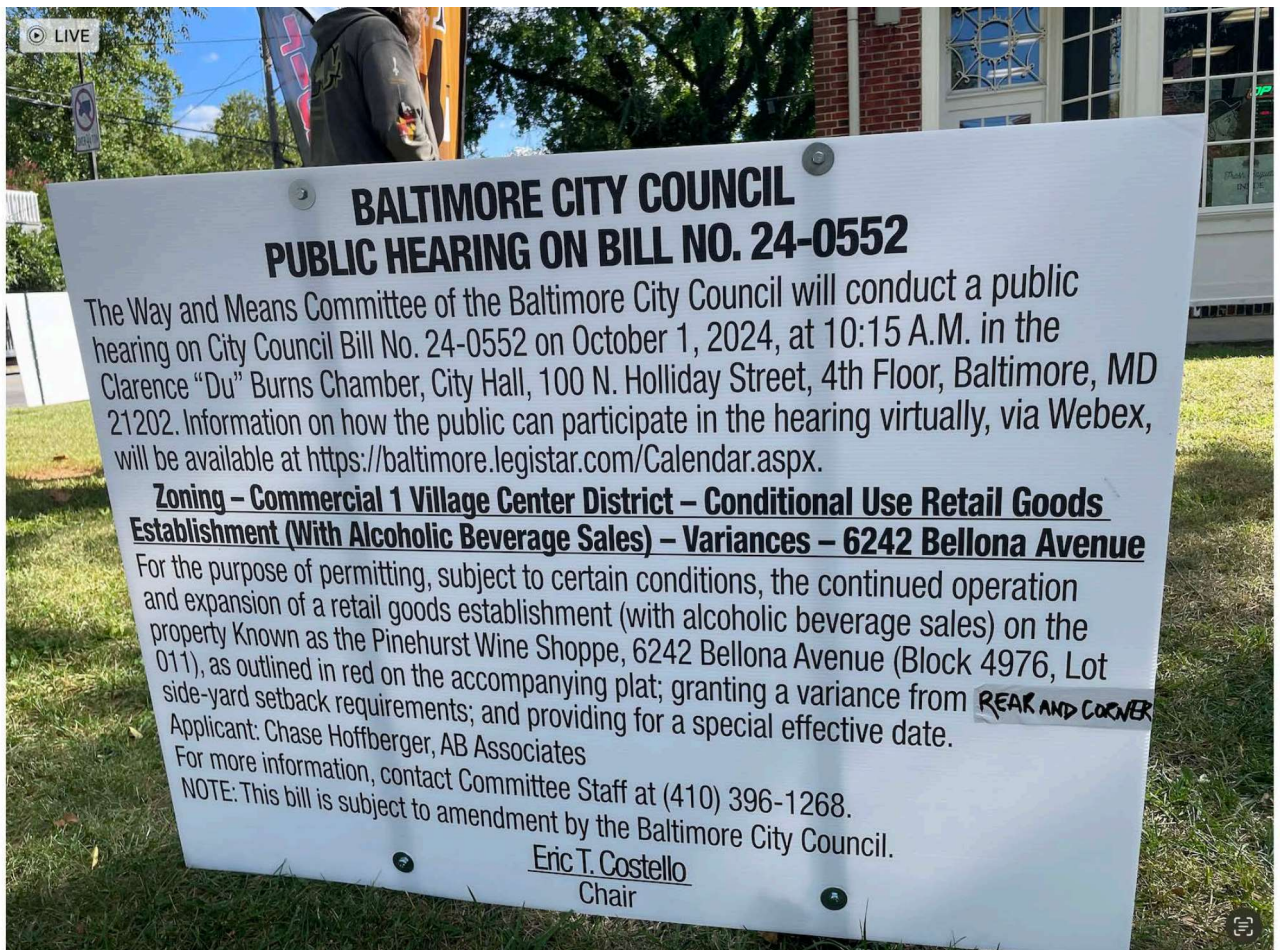
Name: Chase Hoffberger

Address: 225 E Redwood Street

Telephone: 512 536 0763

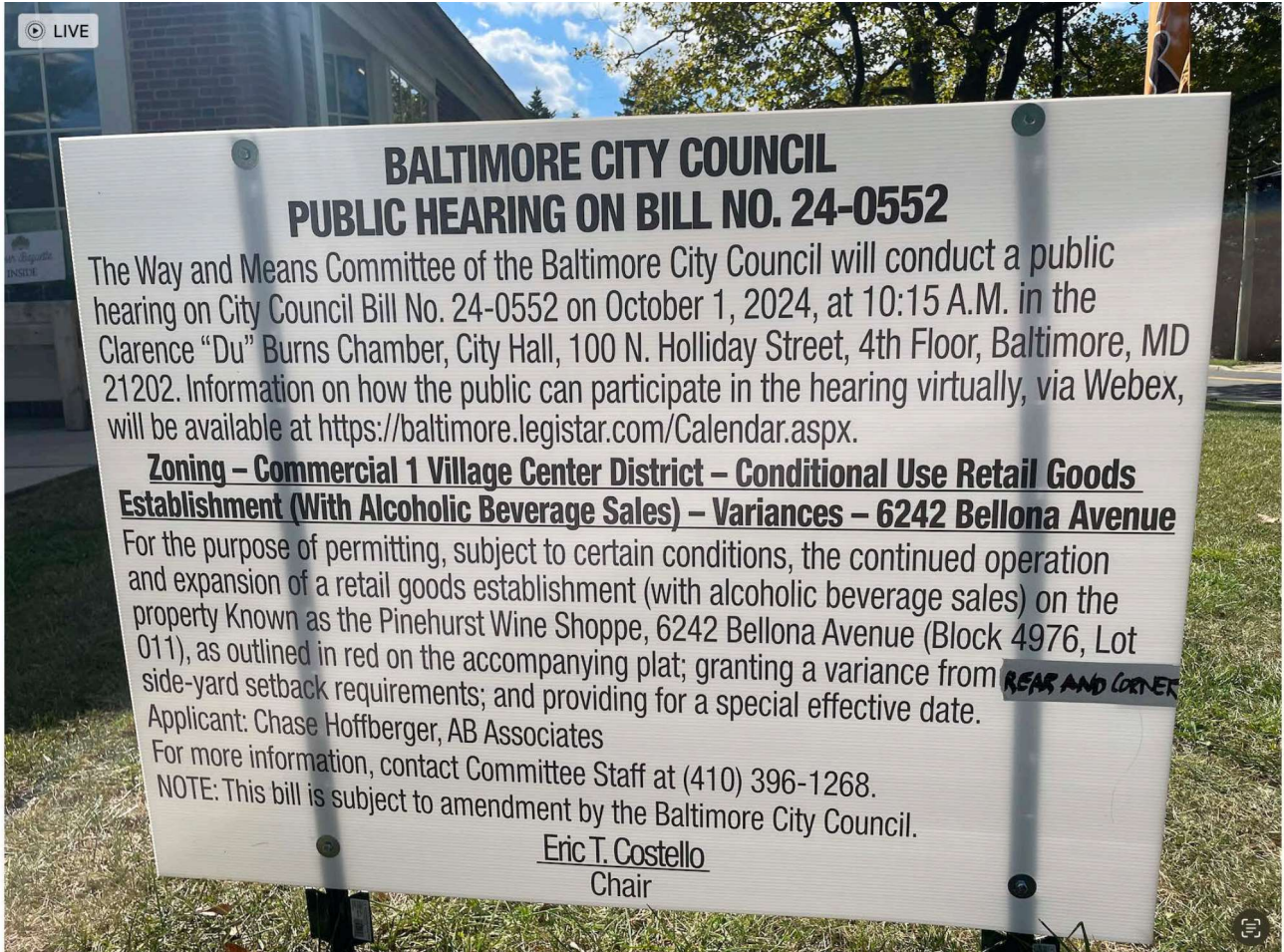
Signature: *Chase Hoffberger*

Sign 1, Gittings side



Side 1, Gittings side





Side 2, Bellona Side



ZONING ORDINANCE REQUEST

STATEMENT OF INTENT

FOR

6242 Bellona Avenue

{Property Address; Block 4976, Lot 011}

1. Applicant's Contact Information:

Name: AB Associates

Mailing Address: 225 E. Redwood Street, Suite 400G

Telephone Number: 512-536-0763

Email Address: chase.hoffberger@gmail.com

2. All Proposed Zoning Changes for the Property:

Conditional use authorization to continue the use and expand the existing structure at 6242 Bellona Avenue

3. All Intended Uses of the Property:

Retail Goods Establishment (with alcohol beverage sales)

4. Current Owner's Contact Information:

Name: SSW LLC

Mailing Address: 6242 Bellona Avenue, Baltimore, MD 21212

Telephone Number: 410-971-6356

Email Address: gordon@pinehurstwineshoppe.com

5. Property Acquisition:

The property was acquired by the current owner on 3/22/1996 by deed recorded in the Land Records of Baltimore City in Liber 03605 Folio 00295 .

6. Contract Contingency:

(a) There is is not a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties to the contract are as follows {use additional sheet if necessary}:

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

7. Agency:

(a) The applicant is is not acting as an agent for another.

(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority owners of any corporate entity are as follows {use additional sheet if necessary}:

Principals for SSW LLC include:

Marilynn Wiseman
Daniel Broh-Kahn

AFFIDAVIT

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

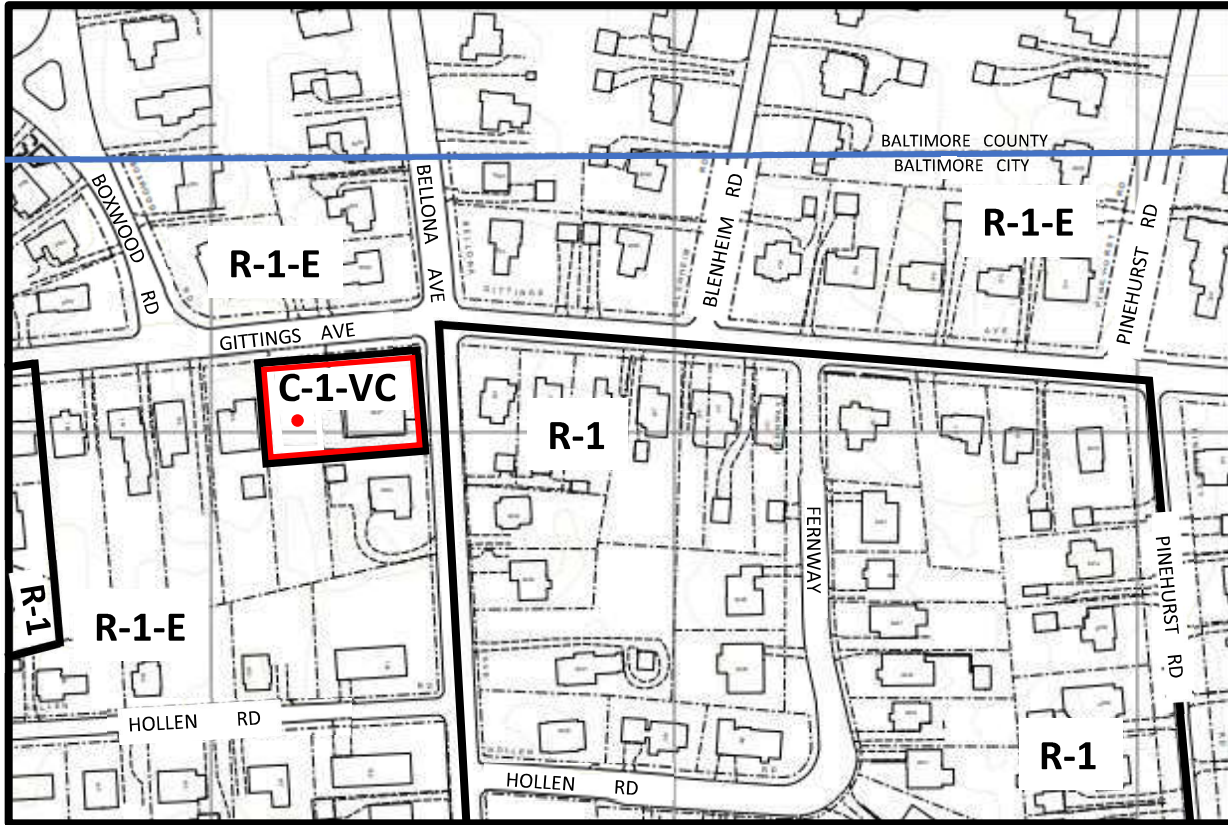
Chase Hoffberger

Applicant's signature

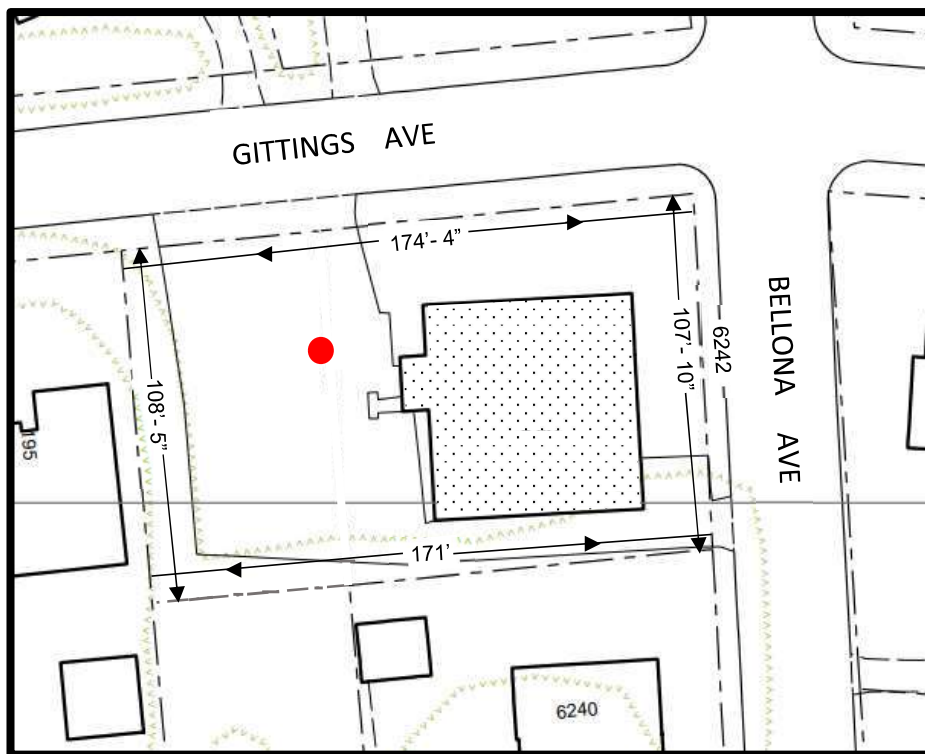
5.22.24

Date

**SHEET NO. 5 OF THE ZONING MAP OF
THE ZONING CODE OF BALTIMORE CITY**



Scale: 1" = 200'



Scale: 1" = 60'

Note:

In Connection With The Property Known As No. 6242 BELLONA AVENUE. The Applicant Wishes To Request The Conditional Use For An Expansion Of The Building On The Aforementioned Property In The C-1-VC Zoning District, As Outlined In Red Above.

WARD 27 SECTION 68

BLOCK 4976 LOT 11

MAYOR

PRESIDENT CITY COUNCIL

**CITY OF BALTIMORE
COUNCIL BILL 24-0552
(First Reader)**

Introduced by: Councilmember Conway

At the request of: Pinehurst Wine Shoppe, LLC, Chase Hoffberger, AB Associates

Address: c/o AB Associates

225 E. Redwood Street, Suite 400G, Baltimore, Maryland 21202

Telephone: (512) 536-0763

Introduced and read first time: June 10, 2024

Assigned to: Ways and Means Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Commercial 1 Village Center District – Conditional Use Retail Goods**
3 **Establishment (With Alcoholic Beverage Sales) – Variances –**
4 **6242 Bellona Avenue**

5 FOR the purpose of permitting, subject to certain conditions, the continued operation and
6 expansion of a retail goods establishment (with alcoholic beverage sales) on the property
7 known as the Pinehurst Wine Shoppe, 6242 Bellona Avenue (Block 4976, Lot 011), as
8 outlined in red on the accompanying plat; granting a variance from corner side-yard setback
9 requirements; and providing for a special effective date.

10 BY authority of

11 Article - Zoning

12 Sections 5-201(a), 5-305(a), and 5-308, 5-404, 5-405, 5-406, 5-507, 5-508, 10-203, 10-301,
13 14-336, and Table 10-301 (C-1-VC)

14 Baltimore City Revised Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
17 permission is granted for the continued operation and expansion of a retail goods establishment
18 (with alcoholic beverage sales) on the property known as the Pinehurst Wine Shoppe,
19 6242 Bellona Avenue (Block 4976, Lot 011) as outlined in red on the plat accompanying this
20 Ordinance, in accordance with Baltimore City Zoning Code §§ 5-201(a), 5-305(a), and 5-308,
21 5-404, 5-405, 5-406, 5-507, 5-508, 10-203, 10-301, 14-336, and Table 10-301 {“Commercial
22 Districts – Permitted and Conditional Uses (C-1-VC)”}, subject to the condition that the retail
23 goods establishment (with alcoholic beverage sales) complies with all applicable federal, state,
24 and local licensing and certification requirements, and the terms of the Memorandum of
25 Understanding reached on _____ between the Pinehurst Wine Shoppe, LLC, and the
26 Bellona-Gittings Community Association.

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

Council Bill 24-0552

1 **SECTION 2. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by
2 §§ 5-201(a), 5-404, 5-405, 5-406, and 5-507 of the Zoning Code, permission is granted to expand
3 the existing building located on the property known as the Pinehurst Wine Shoppe, 6242 Bellona
4 Avenue (Block 4976, Lot 011) by 1,325 square feet, as indicated on the accompanying Site Plan
5 dated as of May 9, 2024, attached hereto.

6 **SECTION 3. AND BE IT FURTHER ORDAINED,** That pursuant to the authority granted by
7 §§ 5-201(a), 5-305(a), and 5-308 of the Zoning Code, permission is granted for a 15-foot,
8 nine-inch variance from the corner side-yard setback requirements of § 10-401 and Table 10-401:
9 Commercial Districts - Bulk and Yard Regulations.

10 **SECTION 4. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
11 accompanying plat and in order to give notice to the agencies that administer the City Zoning
12 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
13 shall sign the plat and site plan; (ii) when the Mayor approves this Ordinance, the Mayor shall
14 sign the plat and site plan; and (iii) the Director of Finance then shall transmit a copy of this
15 Ordinance, the plat, and the site plan to the Board of Municipal and Zoning Appeals, the
16 Planning Commission, the Commissioner of Housing and Community Development, the
17 Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

18 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
19 enacted.