

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 15-0543**

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Introduced by: Councilmember Mosby

At the request of: Whitehall Mill, LLC

Address: c/o Alfred W. Barry, AB Associates, One South Calvert Street, Suite 1150,  
Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: June 15, 2015

Assigned to: Land Use and Transportation Committee

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Committee Report: Favorable with an amendment

Council action: Adopted

Read second time: February 8, 2016

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**AN ORDINANCE CONCERNING**

**Planned Unit Development – Amendment 1 – Whitehall Cotton Mill**

FOR the purpose of approving certain amendments to the Development Plan of the Whitehall Cotton Mill Planned Unit Development.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 5

Baltimore City Revised Code

(Edition 2000)

**Recitals**

By Ordinance 14-193, the Mayor and City Council (i) approved the application of Terra Nova Ventures, LLC, to have certain property located at 3300 Clipper Mill Road, consisting of 5.267 acres, more or less, designated as an Industrial Planned Unit Development and (ii) approved the Development Plan submitted by the applicant.

Whitehall Mill, LLC, now the owner of the property, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to modify the square limit footage that applies to restaurants.

On April 1, 2015, representatives of Whitehall Mill, LLC, met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

**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 15-0543**

1 The representatives of Whitehall Mill, LLC, have now applied to the Baltimore City Council  
2 for approval of these amendments, and they have submitted amendments to the Development  
3 Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the Baltimore City  
4 Zoning Code.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
6 Sections 3(d)(4), (5), (6), and (7) of Ordinance 14-193 are amended to read as follows:

7 SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the  
8 provisions of Title 9, Subtitle 1 and 5 the following uses are permitted in the  
9 Planned Unit Development:

10 . . . .  
11 (d) In accordance with § 9-503 of the Baltimore City Zoning Code, the following  
12 B-1, B-2, and B-3 uses are allowed:

13 . . . .  
14 (4) [Each of the] THE following commercial [uses] USE shall be limited in  
15 [their] ITS location to the ground level and shall not exceed a total of  
16 [3,000] ~~10,000~~ 6,500 square feet:

17 [(i)] Restaurants, including live entertainment and dancing.

18 (5) THE FOLLOWING COMMERCIAL USE SHALL BE LIMITED IN ITS LOCATION TO  
19 THE GROUND LEVEL AND SHALL NOT EXCEED A TOTAL OF 3,000 SQUARE  
20 FEET:

21 [(ii)] Taverns, including live entertainment and dancing.

22 (6) [(5)] Each of the following commercial uses shall not exceed a total of  
23 3,000 square feet per individual tenant:

24 [(i)] Food stores, grocery, delicatessens.

25 (7) [(6)] Dwelling units are permitted above the ground floor only.

26 (8) [(7)] Each of the following commercial uses shall be expressly prohibited:

27 (i) Restaurants: drive-in - including pick-up drives with window  
28 service

29 (ii) Restaurants: drive-in - no pick-up drives with window service.

30 **SECTION 2. AND BE IT FURTHER ORDAINED,** That all plans for the construction of permanent  
31 improvements on the property are subject to final design approval by the Planning Commission  
32 to insure that the plans are consistent with the Development Plan and this Ordinance.

33 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
34 accompanying amended Development Plan and in order to give notice to the agencies that  
35 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the  
36 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor  
37 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the

**Council Bill 15-0543**

1 Director of Finance then shall transmit a copy of this Ordinance and the amended Development  
2 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the  
3 Commissioner of Housing and Community Development, the Supervisor of Assessments for  
4 Baltimore City, and the Zoning Administrator.

5 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
6 after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City