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| FROM | NAME & TITLE | CHRIS RYER, DIRECTOR | CITY of BALTIMORE MEMO |  |
| | AGENCY NAME & ADDRESS | DEPARTMENT OF PLANNING 417 E. FAYETTE STREET, 8 th FLOOR | | |
| | SUBJECT | CITY COUNCIL BILL #19-0413/ PLANNED UNIT DEVELOPMENT #155 – AMENDMENT #2 – WHITEHALL COTTON MILL | | |

TO

DATE:

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

August 23, 2019

At its regular meeting of August 22, 2019, the Planning Commission considered City Council Bill #19-0413, for the purpose of approving certain amendments to the Whitehall Cotton Mill Planned Unit Development #155.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #19-043, voted to amend the staff report with the attached proposed amendments, 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 #19-0413 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

attachments

- cc: Mr. Jeff Amoros, 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. Caroline Hecker, Developer's Representative



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

August 22, 2019

REQUEST: City Council Bill #19-0413/ Planned Unit Development – Amendment 2 – Whitehall Cotton Mill:

For the purpose of approving certain amendments to the Development Plan of the Whitehall Cotton Mill Planned Unit Development; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: Terra Nova Ventures, LLC, c/o Caroline L. Hecker, Esq.

OWNER: Whitehall Mill, LLC

SITE/GENERAL AREA

Site Conditions: 3300 Clipper Road is located on the south side of the street, approximately 300' east of the intersection with Ash Street. This IMU-1 zoned property is currently improved with a two-story historic mill building, and a two-story out-building, once known as the Whitehall Cotton Mill. The Jones Falls River forms the southern boundary of the site.

General Area: This property is located in the Jones Falls Area, north of the I-83 corridor, west of Falls Road, and between the communities of Hampden to the north and east, and Druid Hill Park beyond I-83 to the south and west.

HISTORY

- On February 3, 2014, Ordinance #14-193 established the Whitehall Cotton Mill Planned Unit Development (PUD) #155.
- On November 20, 2014, the Planning Commission approved a Minor Amendment and Final Design Approval for an egress bridge over the public right-of-way.
- On March 7, 2016, Ordinance #16-457 enacted the first amendment to the Whitehall Cotton Mill (PUD).

ANALYSIS

Proposal: This bill will amend the Planned Unit Development (PUD) establishing Ordinance in three ways. First, it changes the approval process for outdoor table service from requiring approval by the Board of Municipal and Zoning Appeals (BMZA) to being permitted by right. Next, the bill includes Banquet Halls among the uses allowed within the PUD. Finally, it amends the number and types of liquor licenses allowed within the PUD.

For the outdoor table service (now known as outdoor dining in the current zoning code), that use was added to the IMU-1 zones through the Citywide comprehensive zoning code update. The transition rules for PUDs specifically provides that “All permitted and conditional uses of the underlying zoning district of a previously approved planned unit development are allowed unless specifically prohibited by the planned unit development.” (§13-102.c). For that reason, outdoor dining is automatically included as a permitted use by way of the underlying zoning, and is added in the bill for clarity.

Banquet halls are allowed in the underlying IMU-1 district by Conditional Use requiring approval by the Mayor and City Council through an Ordinance, which is also automatically included in the PUD in the same manner as the outdoor table service above. This bill will make banquet halls a permitted use through this legislative action that follows the same public process, but need only be done once.

Finally, the type and number of liquor licenses allowed within the PUD are being amended as the proposed tenants and uses within the building have evolved over time. Separate approvals for each liquor license will be needed from the Liquor Board.

Floodplain: One of the most significant considerations in the periodic review of this PUD is that the property is located in the floodplain, and is in the flood way where velocity waters are present in a flood event. In most cases, development within the flood way is not permitted. However, there was an approved variance that provided for a reasonable amount of redevelopment for this historic building. Any additional development or change to the building will require review for floodplain requirements.

Notification: The Hampden Community Council has been notified of this action.



Chris Ryer
Director

**AMENDMENTS TO CITY COUNCIL BILL #19-0413
(First Reader Copy)**

Proposed by: Terra Nova Ventures, LLC
{To be offered to the Land Use & Transportation Committee}

Amendment No. 1:

On page 2, in line 16, delete “Banquet halls,” and replace with “One banquet hall, subject to the following conditions:”

- (1) The banquet hall shall be located on the ground level and shall not exceed 7,000 square feet.
- (2) To the extent necessary to accommodate guests, contract users of the banquet hall, such as weddings, will be required to use the owner’s dedicated valet parking company, including the use of shuttle busses as deemed necessary.
- (3) To the extent reasonably practicable, only one valet parking service shall operate at the property.
- (4) The owner shall contract with the owner of a property in close proximity to the property for the parking of cars.
- (5) The owner shall engage a manager for coordination of events at the banquet hall, including having a person on site for each event.”

Amendment No. 2:

On page 2, in line 21, delete “Class D” and replace with “Class A beer and wine”.

Amendment No. 3:

On page 2, in line 23, insert a new Section 2 as follows: “AND BE IT FURTHER ORDAINED, that Section 5 of Ordinance 14-193 is hereby amended to read as follows:”

SECTION 5. AND BE IT FURTHER ORDAINED, That off-street parking requirements for the Planned Unit Development are as follows:

...

(g) The foregoing off-street parking requirements do not apply to the banquet hall, which is governed by the specific valet parking requirements as described in Section 3(e).