


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR <i>MJ JS</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #14-#14-0326/PLANNED UNIT DEVELOPMENT – AMENDMENT 5 – YORK ROAD AND BELVEDERE AVENUE – (BELVEDERE SQUARE)		

DATE: March 21, 2014

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

At its regular meeting of March 20, 2014, the Planning Commission considered City Council Bill #14-0326, for the purpose of approving certain amendments to the Development Plan of the York Road and Belvedere Avenue (Belvedere Square) Planned Unit Development.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended amendment and approval of City Council Bill #14-0326 and adopted the following resolution; seven members being present (seven in favor).

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #14-0326 be amended and passed by the City Council.

If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

cc: Ms. Kaliope Parthemos, Deputy Chief for Economic and Neighborhood Development
Mr. Alex Sanchez, Chief of Staff
Ms. Angela Gibson, Mayor's Office
The Honorable Rochelle "Rikki" Spector, Council Rep. to Planning Commission
The Honorable Bill Henry, 4th Council District
Mr. David Tanner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Sharon Daboin, DHCD
Ms. Barbara Zektick, DOT
Ms. Elena DiPietro, Law Dept.
Ms. Karen Randle, Council Services
Ms. Melissa Krafchik, PABC
Ms. Stacey Pack, Cross Street Partners



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

March 20, 2014

REQUEST: City Council Bill #14-0326/Planned Unit Development – Amendment 5 – York Road and Belvedere Avenue – Belvedere Square:

For the purpose of approving certain amendments to the Development Plan of the York Road and Belvedere Avenue (Belvedere Square) Planned Unit Development.

RECOMMENDATION: Amendment and Approval, with the following amendment:

- That on page 1, in lines 16-17, the deletion of “May 16, 2007” is restored, and the amendment text “July 8, 2013” is deleted.

STAFF: Eric Tiso

PETITIONER: Belvedere Holdings, LLC

OWNER: Belvedere Holdings, LLC

SITE/GENERAL AREA

Site Conditions: The Belvedere Square Planned Unit Development (PUD) contains a total of 5.9± acres, located east of York Road and split by East Belvedere Avenue. The southern side of the center consists of offices, an athletic club, a retail strip, and a food/retail marketplace. The northern side of the center consists of retail and offices uses. There is also a freestanding restaurant building (Ryan’s Daughter). The underlying zoning districts for this PUD are B-2-2 and R-5. The PUD limits uses to those permitted in B-1 and B-2 districts.

General Area: Belvedere Square extends east from the intersection of Belvedere Avenue and York Road, just south of Northern Parkway. Commercial improvement efforts along the York Road corridor extend back nearly forty years and feature the establishment of three commercial nodes (York at Cold Spring Lane, York at Woodbourne, and York at Belvedere). The shopping center at Belvedere Square and the Senator Theater (located across York Road from the PUD) became anchors of the York-Belvedere commercial area.

HISTORY

- Ordinance #74-0771, approved December 17, 1974, established the York Road and Belvedere Avenue PUD.
- Ordinance #84-0187, approved October 8, 1984, amended the York Road and Belvedere Avenue PUD.
- On June 12, 1997, the Planning Commission approved the Final Design for the signage for Champion Mortgage.

- On October 19, 2000, the Planning Commission recommended amendment and approval of City Council Bill #00-0224, the establishment of an urban renewal plan for York and Belvedere. On August 1, 2002, the Planning Commission approved a street closing to narrow a portion of Belvedere Avenue and the Final Design for the overall site plan.
- On September 12, 2002, the Planning Commission approved the Final Design for a Signage Package for Belvedere Square.
- Ordinances #02-0467, #02-0468, and #02-0469, approved on December 23, 2002, enabled the implementation of a special financing district to finance improvements for the Belvedere Square Shopping Center, by creating the district (the Shopping Center itself), designating the special tax district, and providing for a special obligation bond.
- Ordinance #04-0858 approved a major amendment allowing live entertainment and dancing at restaurants and lunch rooms whose square footage is at least 5,000 square feet. (Revised Development Plan for Belvedere Square, dated December 2, 2004)
- On February 2, 2006, the Planning Commission approved the York Road Partnership Strategic Neighborhood Action Plan (SNAP). Belvedere Square PUD is within this SNAP area.
- On February 23, 2006, the Planning Commission approved the Final Design for the signage package for the Belvedere Square PUD.
- On April 20, 2006, the Planning Commission approved the Final Design for the signage package for Starbucks Coffee.
- On May 31, 2007, the Planning Commission approved the third amendment to the PUD, which authorized outdoor seating and various sign elements.
- Ordinance #09-174, approved on June 1, 2009, approved the fourth amendment to the PUD, which amended the development plan, added outdoor live entertainment and the outdoor display of merchandise as uses within the PUD.
- On September 8, 2011, the Planning Commission approved a revised Final Design for the signage for Sun Trust Bank.
- On March 8, 2012, the Planning Commission approved a revised Final Design for the signage package for tenant space in the former Daedalus Books location, for Sprint and future tenants.
- On November 1, 2012, the Planning Commission approved a Minor Amendment and Final Design Approval for an addition to Atwater's.
- On August 8, 2013, the Planning Commission approved a Revised Final Design Approval for signage on the south building and the Hochschild Kohn building.
- On August 29, 2013, the Planning Commission approved a Minor Amendment and Final Design Approval for an increase in outdoor seating, for a capacity of 112 tables and 300 seats.

CONFORMITY TO PLANS

The proposed amendment is in keeping with the goals and objectives of the Belvedere Square Planned Unit Development and the York Road Partnership SNAP.

ANALYSIS

Effect of the Bill: This bill has two purposes: First, it extends the authorization for outdoor “Special Events” as defined in Section 5 of Ord. #84-187, as amended by Ord. #09-174. When the Special Events were added to the Planned Unit Development (PUD), an automatic expiration of the amendment was set for three years from the date of enactment, which has since passed. Second, the bill makes a change in a date reference to Exhibit B, “Seating Plan” from May 16, 2007, to July 8, 2013, with the intent of increasing the outdoor seating capacity to 400. The original 2007 outdoor seating plan authorized a maximum of 250 seats. Last year, the applicants requested an increase in the seating plan to a maximum of 400 seats (the July 2013 plan), but it was rejected by the Planning Commission, and a more modest increase to 112 tables and 300 seats was approved on August 29, 2013. The demand for additional tables and seats was due to an increase in the amount of food-related merchants at Belvedere Square, and the ongoing renovations to the marketplace.

Staff recommends approval of the continuation of the outdoor special events, but recommends removal of any change to the outdoor seating capacity. We understand that Belvedere Square is working with surrounding community organizations, and that there is not yet an agreement on the appropriateness or need for an increase in the outdoor seating capacity. For that reason, such an increase should be handled as a separate request once an agreement has been reached.

Community Input: The Belvedere Improvement Association and the York Road Partnership have been notified of this hearing.



Thomas J. Stosur
Director