

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0289**

Introduced by: Councilmembers Clarke, Pinkett

At the request of: Mt. Vernon Mill, LLC

Address: c/o Alfred W. Barry, AB Associates, 201 East Baltimore Street, Suite 1150,
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Introduced and read first time: September 17, 2018

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: December 3, 2018

AN ORDINANCE CONCERNING

1 **Planned Unit Development – Designation – Mt. Vernon Mill**

2 FOR the purpose of repealing the existing Development Plan for the Mt. Vernon Mill Planned
3 Unit Development; approving a new Development Plan for the Mt. Vernon Mill Planned
4 Unit Development; and providing for a special effective date.

5 BY authority of

6 Article 32 - Zoning
7 Section 5-201(a) and Title 13
8 Baltimore City Revised Code
9 (Edition 2000)

10 **Recitals**

11 By Ordinance 10-374, ~~as last amended by Ordinance 11-538,~~ the Mayor and City Council of
12 Baltimore approved the application to have certain properties located at 2980, 2990, 3000, 3030,
13 and 3100 Falls Road designated an Industrial Planned Unit Development and approved the
14 Development Plan as submitted by the applicant.

15 The applicant wants to replace the existing Planned Unit Development with a new one.

16 On February 21, 2018, representatives of Mt. Vernon Mill, LLC, met with the Department of
17 Planning for a preliminary conference, to explain the scope and nature of existing and proposed
18 development on the property and to institute proceedings to have the property designated a
19 Planned Unit Development.

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
 an amendment or deleted from existing law by amendment.

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1 The representatives of Mt. Vernon Mill have now applied to the Baltimore City Council for
2 designation of the property as a Planned Unit Development, and they have submitted a
3 Development Plan intended to satisfy the requirements of Baltimore City Zoning Code Section 5-
4 201(a) and Title 13.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
6 Ordinance 10-374 and Ordinance 11-538 are is repealed.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
8 application of Mt. Vernon Mill, LLC., owner of the properties located at 2980, 2990, 3000, 3030,
9 and 3100 Falls Road , consisting of 9.78 acres, including the Jones Falls streambed, more or less,
10 as outlined on the accompanying Development Plan entitled “Mt. Vernon Mill”, to designate the
11 property a Planned Development under Title 13 of the Baltimore City Zoning Code.

12 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council of Baltimore
13 approves the replacement of the Planned Unit Development and approves the new Development
14 Plan submitted by the applicant, as attached to and made part of this Ordinance, including:

15 Sheet 1, “Existing and Proposed Conditions Plan”, dated July 30, 2018.

16 **SECTION 4. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
17 13, Subtitle 2, the following uses are allowed in the Planned Unit Development:

18 (a) In accordance with Title 13, all permitted, conditional, and accessory uses are as allowed
19 in the I-MU Zoning District, in accordance with Table 11-301: Industrial Districts -
20 Permitted and Conditional Uses, of Article 32 - Zoning.

21 (b) The following additional use will be allowed: 1 banquet hall.

22 (1) Outdoor table service when accessory to a restaurant use, subject to Planning
23 Commission approval; live entertainment as an accessory to a restaurant or art
24 gallery use, provided no admission, donation, or use charge is required; and the
25 live entertainment is limited to indoor non-amplified music.

26 (2) The banquet hall will be limited to 2980 Falls Road and will be operated with the
27 following conditions:

28 (i) All contract users, such as weddings, will be required to use the owner’s
29 dedicated valet parking company that shall be the same as for the
30 restaurant use;

31 (ii) The owner shall contract with the owner of a property in close proximity
32 to the property for the parking of cars; and

33 (iii) The owner shall engage a manager for coordination of events at the
34 banquet hall, including having a person on-site during the time of the
35 event.

36 (iv) Any additional, more specific provisions required by the MOU between
37 the Hampden Community Council and the owner, Mt. Vernon Mills, LLC.

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1 (c) In accordance with Title 13 of the Zoning Code, the existing billboard on the property
2 must be removed on or before December 31, 2036. No other billboards or general
3 advertising will be permitted on the property. Signage identifying the property, buildings,
4 and tenants is allowed. An existing sign attached to the top of the building located at
5 3030 Falls Road will be permitted to remain and may be modified.

6 (d) Subject to the approval of the Board of Liquor Licenses Commissioners for Baltimore
7 City, 2 Class B restaurant alcoholic beverage licenses shall be permitted within the
8 properties located at 2980, 3000, 3030, and 3100 Falls Road, provided that each
9 restaurant must have at least 50% of its sales in food.

10 (e) Subject to the approval of the Board of Liquor Licenses Commissioners for Baltimore
11 City, catering and events shall be permitted within the property known as 2980 Falls
12 Road.

13 (f) No more than a total of 2 liquor licenses are permitted within the Planned Unit
14 Development.

15 **SECTION 5. AND BE IT FURTHER ORDAINED,** That all plans for the construction of permanent
16 improvements on the property are subject to final design approval by the Planning Commission
17 to insure that the plans are consistent with the Development Plan and this Ordinance.

18 **SECTION 6. AND BE IT FURTHER ORDAINED,** That the existing number of off-street parking
19 spaces provided, as shown on the Development Plan, shall continue to be permitted.

20 **SECTION 7. AND BE IT FURTHER ORDAINED,** That notwithstanding the provisions of Article
21 32, § 13-402, which provide that the Planning Department may determine what constitutes minor
22 or major modifications to the Plan, any new development plans in this Planned Unit
23 Development are considered to be major amendments and must be approved by Ordinance. The
24 owner shall submit to the Hampden Community Council all proposed modifications at least 30
25 days before their submission to the Planning Department.

26 **SECTION 8. AND BE IT FURTHER ORDAINED,** That the Mt. Vernon Mill, LLC, will record the
27 Memorandum of Understanding between the Developer and the Hampden Community Council
28 in the land records of the Planned Unit Development property.

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

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

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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