

**CITY OF BALTIMORE
COUNCIL BILL 15-0543
(First Reader)**

Introduced by: Councilmember Mosby

At the request of: Whitehall Mill, LLC

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Introduced and read first time: June 15, 2015

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

5 BY authority of

6 Article - Zoning
7 Title 9, Subtitles 1 and 5
8 Baltimore City Revised Code
9 (Edition 2000)

10 **Recitals**

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

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

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

21 The representatives of Whitehall Mill, LLC, have now applied to the Baltimore City Council
22 for approval of these amendments, and they have submitted amendments to the Development

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

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1 Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the Baltimore City
2 Zoning Code.

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

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

8
9 (d) In accordance with § 9-503 of the Baltimore City Zoning Code, the following
10 B-1, B-2, and B-3 uses are allowed:

11
12 (4) [Each of the] THE following commercial [uses] USE shall be limited in
13 [their] ITS location to the ground level and shall not exceed a total of
14 [3,000] 10,000 square feet:

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

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

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

20 (6) [(5)] Each of the following commercial uses shall not exceed a total of
21 3,000 square feet per individual tenant:

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

23 (7) [(6)] Dwelling units are permitted above the ground floor only.

24 (8) [(7)] Each of the following commercial uses shall be expressly prohibited:

25 (i) Restaurants: drive-in - including pick-up drives with window
26 service

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

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

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

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1 Commissioner of Housing and Community Development, the Supervisor of Assessments for
2 Baltimore City, and the Zoning Administrator.

3 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
4 after the date it is enacted.