

Introduced by: Councilmember Pinkett

At the request of: Terra Nova Ventures, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Prepared by: Department of Legislative Reference

Date: July 16, 2019

Referred to: LAND USE Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19 - 0413

A BILL ENTITLED

AN ORDINANCE concerning

**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.

BY authority of

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



****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input checked="" type="checkbox"/> Department of Public Works	<input checked="" type="checkbox"/> Baltimore City Public School System
<input type="checkbox"/> Department of Real Estate	<input checked="" type="checkbox"/> Baltimore Development Corporation
<input type="checkbox"/> Department of Recreation and Parks	<input checked="" type="checkbox"/> City Solicitor
<input checked="" type="checkbox"/> Department of Transportation	<input type="checkbox"/> Comptroller's Office
<input checked="" type="checkbox"/> Fire Department	<input type="checkbox"/> Department of Audits
<input type="checkbox"/> Health Department	<input checked="" type="checkbox"/> Department of Finance
<input type="checkbox"/> Mayor's Office of Employment Development	<input type="checkbox"/> Department of General Services
<input type="checkbox"/> Mayor's Office of Human Services	<input checked="" type="checkbox"/> Department of Housing and Community Development
<input type="checkbox"/> Mayor's Office of Information Technology	<input type="checkbox"/> Department of Human Resources
<input type="checkbox"/> Office of the Mayor	<input type="checkbox"/> Department of Planning
<input type="checkbox"/> Police Department	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Boards and Commissions

<input checked="" type="checkbox"/> Environmental Control Board	<input type="checkbox"/> Board of Estimates
<input type="checkbox"/> Fire & Police Employees' Retirement System	<input type="checkbox"/> Board of Ethics
<input type="checkbox"/> Labor Commissioner	<input checked="" type="checkbox"/> Board of Municipal and Zoning Appeals
<input checked="" type="checkbox"/> Parking Authority Board	<input type="checkbox"/> Comm. for Historical and Architectural Preservation
<input checked="" type="checkbox"/> Planning Commission	<input type="checkbox"/> Commission on Sustainability
<input type="checkbox"/> Wage Commission	<input type="checkbox"/> Employees' Retirement System
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

CITY OF BALTIMORE
ORDINANCE **19-315**
Council Bill 19-0413

Introduced by: Councilmember Pinkett

At the request of: Terra Nova Ventures, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: July 22, 2019

Assigned to: Land Use Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 28, 2019

AN ORDINANCE CONCERNING

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

3 FOR the purpose of approving certain amendments to the Development Plan of the Whitehall
4 Cotton Mill Planned 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 14-193, as amended by Ordinance 16-457, the Mayor and City Council (i)
12 approved the application of Terra Nova Ventures, LLC to have certain property located at 3300
13 Clipper Mill Road, consisting of 5.267 acres, more or less, designated as an Industrial Planned
14 Unit Development and (ii) approved the Development Plan submitted by the applicant.

15 Terra Nova Ventures, LLC, wishes to amend the Development Plan, as previously approved
16 by the Mayor and City Council, to modify the uses allowed in the Planned Unit Development.

17 On June 4, 2019, representatives of Terra Nova Ventures, LLC, met with the Department of
18 Planning for a preliminary conference to explain the scope and nature of the proposed
19 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 19-0413

1 The representatives of Terra Nova Ventures, LLC, have now applied to the Baltimore City
2 Council for approval of these amendments, and they have submitted amendments to the
3 Development Plan intended to satisfy the requirements of Baltimore City Code Article 32 -
4 Zoning § 5-201(a) and Title 13.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
6 Section 3 of Ordinance 14-193 is hereby 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,
12 the following B-1, B-2, and B-3 uses are allowed:
13 ...
- 14 (2) Outdoor table service accessory to a restaurant or tavern
15 is [subject to Board of Municipal and Zoning Appeals
16 approval] PERMITTED.
17 ...
- 18 (E) BANQUET HALLS. ONE BANQUET HALL, SUBJECT TO THE FOLLOWING
19 CONDITIONS:
- 20 (1) THE BANQUET HALL SHALL BE LOCATED ON THE
21 GROUND LEVEL AND SHALL NOT EXCEED 7,000 SQUARE
22 FEET.
- 23 (2) TO THE EXTENT NECESSARY TO ACCOMMODATE GUESTS,
24 CONTRACT USERS OF THE BANQUET HALL, SUCH AS
25 WEDDINGS, WILL BE REQUIRED TO USE THE OWNER'S
26 DEDICATED VALET PARKING COMPANY, INCLUDING THE
27 USE OF SHUTTLE BUSES AS DEEMED NECESSARY.
- 28 (3) TO THE EXTENT REASONABLY PRACTICABLE, ONLY ONE
29 VALET PARKING SERVICE SHALL OPERATE AT THE
30 PROPERTY.
- 31 (4) THE OWNER SHALL CONTRACT WITH THE OWNER OF A
32 PROPERTY IN CLOSE PROXIMITY TO THE PROPERTY FOR
33 THE PARKING OF CARS.
- 34 (5) THE OWNER SHALL ENGAGE A MANAGER FOR
35 COORDINATION OF EVENTS AT THE BANQUET HALL,
36 INCLUDING HAVING A PERSON ON SITE FOR EACH EVENT.
- 37 (F) [(e)] Subject to the approval of the Board of Liquor License
38 Commissioners for Baltimore City, a maximum of one
39 Class B restaurant alcoholic beverage license [and], one
40 Class B [tavern] MARKETPLACE alcoholic beverage license,
41 AND ONE CLASS BD7 OR ~~CLASS D~~ CLASS A BEER AND WINE
42 ALCOHOLIC BEVERAGE LICENSE shall be permitted.

Council Bill 19-0413

1 **SECTION 2. AND BE IT FURTHER ORDAINED, That Section 5 of Ordinance 14-193 is hereby**
2 **amended to read as follows:**

3 **SECTION 5. AND BE IT FURTHER ORDAINED, That the off-street parking**
4 **requirements for the Planned Unit Development are as follows, with the**
5 **consideration that the parking will be considered shared parking and used**
6 **primarily by office and retail tenants during the day and primarily by residential**
7 **and retail tenants at night and on week ends.**
8

9 **(G) THE FOREGOING OFF-STREET PARKING REQUIREMENTS DO NOT**
10 **APPLY TO THE BANQUET HALL, WHICH IS GOVERNED BY THE**
11 **SPECIFIC VALET PARKING REQUIREMENTS, AS DESCRIBED IN**
12 **SECTION 3(E).**

13 **SECTION 3 2. AND BE IT FURTHER ORDAINED, That all plans for the construction of**
14 **permanent improvements on the property are subject to final design approval by the Planning**
15 **Commission to insure that the plans are consistent with the Development Plan and this**
16 **Ordinance.**

17 **SECTION 4 3. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the**
18 **accompanying amended Development Plan and in order to give notice to the agencies that**
19 **administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the**
20 **President of the City Council shall sign the amended Development Plan; (ii) when the Mayor**
21 **approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the**
22 **Director of Finance then shall transmit a copy of this Ordinance and the amended Development**
23 **Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the**
24 **Commissioner of Housing and Community Development, the Supervisor of Assessments for**
25 **Baltimore City, and the Zoning Administrator.**

26 **SECTION 5 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect when it is**
27 **enacted.**

Council Bill 19-0413

NOV 04 2019

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

NOV 04 2019

this _____ day of _____, 20__

Chief Clerk

Approved this 14th day of Nov., 2019

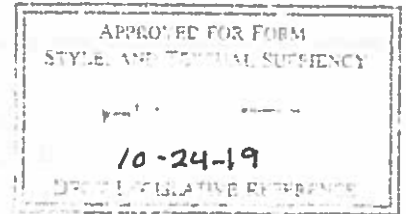
Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 12th Day of November 2019

Chief Solicitor

AMENDMENTS TO COUNCIL BILL 19-0413
(1" Reader Copy)



By: Land Use Committee

Amendment No. 1

On page 2, in line 16, strike "BANQUET HALLS." and substitute "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 BUSES 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, strike "CLASS D" and substitute "CLASS A BEER AND WINE".

Amendment No. 3

On page 2, after line 22, insert

"SECTION 2. 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 the off-street parking requirements for the Planned Unit Development are as

ADOPTED

follows, with the consideration that the parking will be considered shared parking and used primarily by office and retail tenants during the day and primarily by residential and retail tenants at night and on week ends.

(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)."

Amendment No. 4

On page 2, in lines 23, 26, and 35, strike "2", "3", and "4", respectively, and substitute "3", "4", and "5", respectively.

**BALTIMORE CITY COUNCIL
LAND USE COMMITTEE
VOTING RECORD**

DATE: October 23, 2019

BILL#: 19-0413

BILL TITLE: Planned Unit Development - Amendment 2 – Whitehall Cotton Mill

MOTION BY: Clarke SECONDED BY: Pinkett

FAVORABLE

FAVORABLE WITH AMENDMENTS

UNFAVORABLE

WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward - Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, Shannon - Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert			<input checked="" type="checkbox"/>	
TOTALS	<u>6</u>		<u>2</u>	

CHAIRPERSON: _____

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

Order #: 11793879

Case #:

Description:

PUBLIC HEARING ON BILL NO. 19-0413

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

10/1/2019

Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore City

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 19-0413

The Land Use Committee of the Baltimore City Council will meet on Wednesday, October 23, 2019 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0413.

CC 19-0413 ORDINANCE - 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.

BY authority of

Article 32 - Zoning

Section 5-201(a) and Title 13

Baltimore City Revised Code

(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

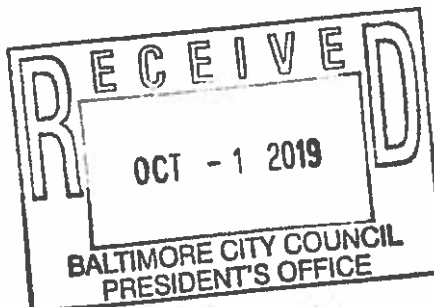
Applicant: Terra Nova Ventures, LLC

For more information, contact: Jennifer Coates, Committee Staff at (410) 396-1260.

EDWARD REISINGER

Chair

01





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**Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0413**

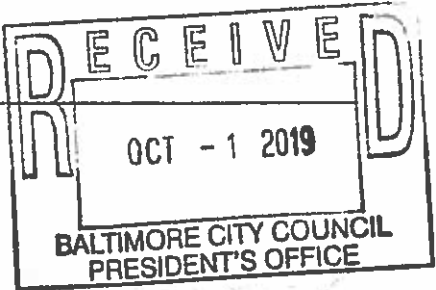
[9/22/2019]



Address: 3300 Clipper Mill Road

Date Posted: 9/22/2019

Name: Martin Ogle
Address: 9912 Maidbrook Road
Telephone: 443-629-3411



- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

MEMORANDUM FOR THE DIRECTOR

Subject: [Illegible]

1. [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]

CONFIDENTIAL

[Illegible]

[Illegible]

[Illegible]

**Baltimore City Council
Certificate of Posting - Public Hearing Notice**

City Council Bill No.: 19-0413

[9/22/2019]



Address: 3300 Clipper Mill Road


Date Posted: 9/22/2019

Name: Martin Ogle

Address: 9912 Maidbrook Road

Telephone: 443-629-3411

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

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		

DATE:

TO

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).

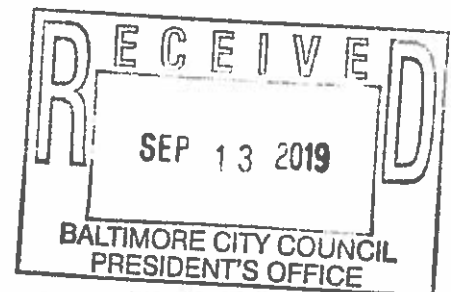
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0413 be amended and passed by the City Council.

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



Fav w/ Amends

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

October 11, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

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

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0413 for form and legal sufficiency. The bill amends the Development Plan of the Whitehall Cotton Mill Planned Unit Development in several ways. First, it changes the approval process for outdoor table service from requiring approval of the Board of Municipal and Zoning Appeals to being permitted by right. Second, it includes banquet halls among the uses allowed within the PUD. Third, the bill amends the number and types of liquor licenses allowed within the PUD. It also provides for a special effective date.

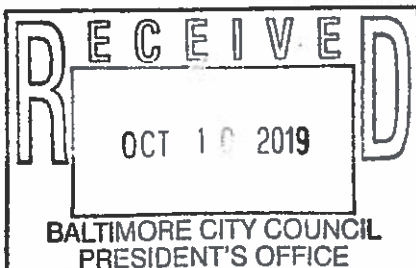
The Law Department does not see any legal obstacles to the adoption of the bill as drafted. We note, however, that the Planning Commission seeks to amend the bill. Those amendments would do the following: (1) Allow only a single banquet hall in the PUD, which would be subject to certain specified operating condition, including those involving valet parking; (2) alter the types of liquor licenses allowed in the PUD; and (3) have the applicable off-street parking requirements involving the operation of the banquet hall be subject to the conditions contained Amendment (1) above, rather than those generally applicable within the PUD.

The Law Department has reviewed these proposals and sees no legal obstacles to their adoption. It therefore is prepared to approve Council Bill 19-0413 for form and legal sufficiency.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor K. Tervala".

Victor K. Tervala
Chief Solicitor



F

cc: Andre M. Davis, City Solicitor
Nicholas Blendy, MOGR
Matt Stegman, Mayor's Legislative Liaison
Caylin Young, President's Legislative Director
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor



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).



MEMORANDUM

DATE: September 16, 2019
TO: Land Use and Transportation Committee
FROM: Colin Tarbert, President and CEO *Colin Tarbert*
POSITION: Support
SUBJECT: Council Bill 19-0413 – Planned Unit Development – Amendment 2 – Whitehall Cotton Mill

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 19-0413 introduced by Councilmember Pinkett, at the request of the Terra Nova Ventures, LLC.

PURPOSE

The purpose of this Bill is approving certain amendments to the Development Plan of the Whitehall Cotton Mill Planned Unit Development (PUD); and providing for a special effective date. The amendment will modify the permitted uses of the PUD, allowing residential, retail, restaurant, and office uses.

BRIEF HISTORY

This Bill will permit outdoor table service for a restaurant or tavern, creation of a banquet hall, and three (3) liquor licenses in the PUD.

FISCAL IMPACT

None

AGENCY POSITION

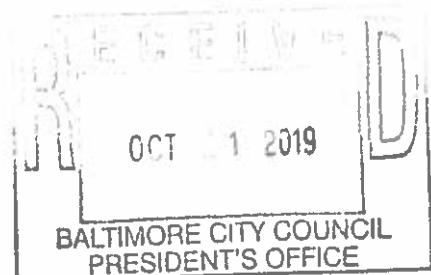
The Baltimore Development Corporation Supports City Council Bill 19-0413.

If you have any questions, please do not hesitate to contact Kimberly Clark at 410-837-9305 or kclark@baltimoredevelopment.com.

cc: Nicholas Blendy


[RT]

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RAC

FROM	NAME & TITLE	Robert Cename. Chief	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432. City Hall		
	SUBJECT	City Council Bill #19-0413: Planned Unit Development- Amendment 1-Whitehall Cotton Mill		

DATE:

TO

The Honorable President and
Members of the City Council
Room 400, City Hall

September 10, 2019

Position: Does Not Oppose

The Department of Finance is reporting on City Council Bill #19-0413, introduced for the purpose of approving certain amendments to the Development Plan of the Whitehall Cotton Mill Planned Unit Development (PUD) and providing for a special effective date.

Background

Ordinance 14-193, as amended by Ordinance 16-457, designated the property at 3300 Clipper Mill Road as an Industrial PUD. The development is a mixed-use development consisting of office, residential, restaurant, and retail uses. Council Bill 19-0413 amends the PUD to permit outdoor table service and banquet halls, as well as changing the beverage license classes permitted.

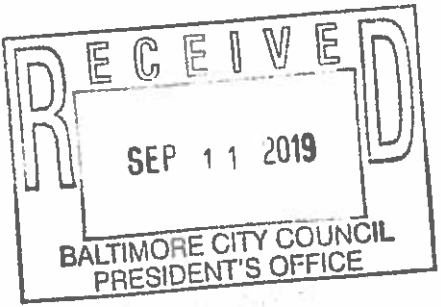
Fiscal Impact

There is no expected significant fiscal impact of these amendments to the PUD.


Conclusion

For the reason stated above, the Department of Finance does not object to City Council Bill 19-0413.

cc: Henry Raymond
Matthew Stegman
Nina Themelis



Does not object

FROM	NAME & TITLE	Steve Sharkey, Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0413		

TO: Mayor Bernard C. "Jack" Young
TO: Land Use Committee
FROM: Department of Transportation
POSITION: No Objection
RE: Council Bill – 19-0413

DATE: 9/9/19

INTRODUCTION – Planned Unit Development - Amendment 2 - Whitehall Cotton Mill

PURPOSE/PLANS – 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.

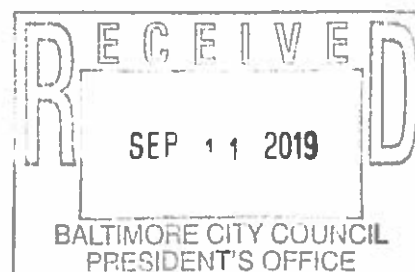
COMMENTS – Council Bill 19-0413 serves as an amendment to the existing Whitehall Cotton Mill Planned Unit Development. The bill as introduced focuses on amending the Planned Unit Development to modify permitted uses, specifically allowing for outdoor table service, banquet halls, and alcoholic beverage licenses upon Baltimore City Liquor Board approval. The Department of Transportation does not foresee any direct fiscal or operational impacts as a result of the passage of Council Bill 19-0413.

AGENCY/DEPARTMENT POSITION – The Department of Transportation has no objection to City Council Bill 19-0413.

If you have any questions, please do not hesitate to contact Liam Davis via email at Liam.Davis@baltimorecity.gov or by phone (410) 545-3207.

Sincerely,


Steve Sharkey
Director



no obj.

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



**BOARD OF MUNICIPAL AND
ZONING APPEALS**

DEREK J. BAUMGARDNER, Executive Director
417 E. Fayette Street, Suite 922
Baltimore, Maryland 21202

August 20, 2019

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: **CC Bill #19-0413 Planned Unit Development - Amendment 2 - Whitehall
Cotton Mill**

Ladies and Gentlemen:

City Council Bill No. 19-413 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

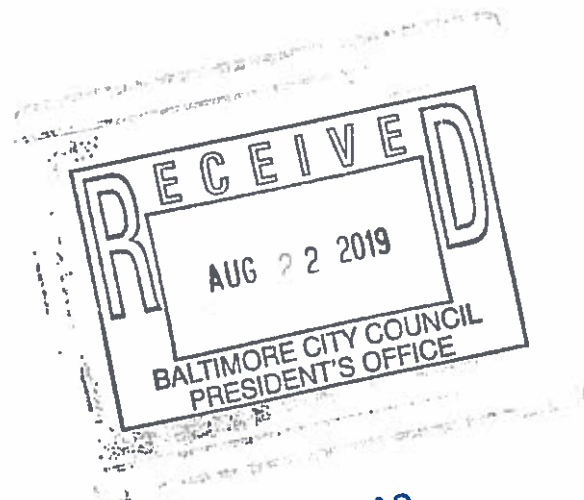
The purpose of City Council Bill No. 19-0413 is to approve certain amendments to the Development Plan of the Whitehall Cotton Mill Planned Unit Development including expanding permitted and accessory uses and altering the authority to grant those uses, and providing for a special effective date.

The BMZA has reviewed the legislation and has no objection to the passage of City Council Bill No. 19-0413.


Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayor's Office of Council Relations
City Council President
Legislative Reference



*no
objection*

FROM	NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202		
	SUBJECT	City Council Bill #19-0413 Planned Unit Development - Amendment 2 - Whitehall Cotton Mill		

DATE:

August 19, 2109

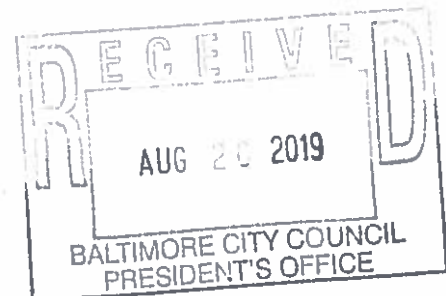
TO

The Honorable Brandon M. Scott, President
And All Members of the Baltimore City Council
City Hall, Room 408

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.

The Baltimore City Fire Department has no objections for City Council Bill #19-0413 – Planned Unit Development -Amendment 2 - for the property located at Whitehall Cotton Mill. All rental locations must comply with all applicable codes, ordinances, and laws and shall be required to obtain all required approvals. The rental locations shall comply with the Building, Fire, and Related Codes of Baltimore City 2015 Edition (As Enacted by Ord. 15-547, and Last Amended by Ord. 18-1830) and applicable Maryland laws.

The above does not negate any requirements for submission of plans to the Office of the Fire Marshal for review of construction, Fire Detection/Notification/Suppression Systems, and Automatic Sprinkler installation. Locations may be subject to an annual fire inspection and/or permits from the Office of the Fire Marshal.



No obj.



BALTIMORE CITY
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner 

Date: October 8, 2019

Re: **City Council Bill 19-0413 Planned Unit Development - Amendment 2 - Whitehall Cotton Mill**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 19-0413 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.

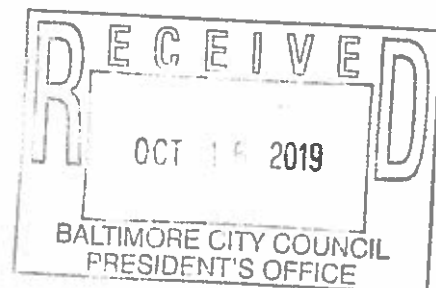
If enacted, this Bill would amend the existing Whitehall Cotton Mill PUD Development Plan to permit outdoor table service accessory to a restaurant or tavern and would allow banquet halls. In addition, Council Bill 19-0413 would expand the list of existing alcoholic beverage licenses to include a Marketplace alcoholic beverage license and one Class BD7 or Class D alcoholic beverage license upon Baltimore City Liquor board approval. DHCD does not foresee any direct fiscal or operational impacts as a result of the passage of Council Bill 19-0413.

DHCD has reviewed City Council Bill 19-0413 and has **no objection** to its passage.

MB:sm

cc: Mr. Nicholas Blendy, *Mayor's Office of Government Relations*

No obj.



TRANSMITTAL MEMO

TO: Council President Brandon M. Scott
FROM: Peter Little, Executive Director *P. Little*
DATE: August 20, 2019
RE: City Council Bill 19-0413

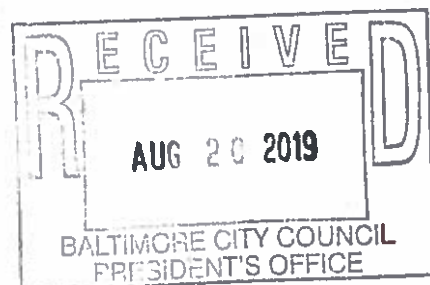


I am herein reporting on City Council Bill 19-0413 introduced by Councilmember Pinkett at the request of Terra Nova Ventures, LLC.

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

The site is located in 3300 Clipper Mill Road and is within the Industrial Mixed-Use (I-MU) District. The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. The legislation does not explicitly address parking. Therefore, parking requirements will be based on the underlying zoning district and prescribed by the Zoning Code. There is no nearby on-street parking located around the site. When new building plans and uses are submitted, PABC will be involved through Site Plan Review Committee to ensure that parking and loading demands are adequately addressed, and that negative effects of parking and loading are mitigated.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0413.



Does not oppose

FROM	NAME & TITLE	Rudolph S. Chow, P.E. Director	CITY of BALTIMORE <i>MEMO</i>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 19-0413		

July 31, 2019

TO:

Land Use Committee

INTRODUCTION

I am herein reporting on City Council Bill 19-0413 introduced by Council Member Pinkett on behalf of Terra Nova Ventures, LLC.

PURPOSE

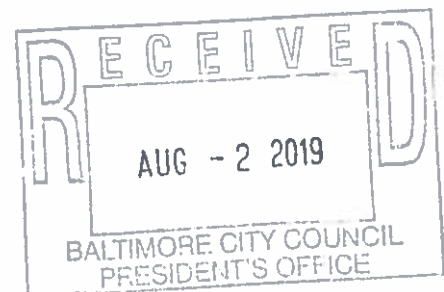
The purpose of the Bill is to approve certain amendments to the Development Plan of the Whitehall Cotton Mill Planned Unit Development; and provide for a special effective date.

BRIEF HISTORY

Ordinance 14-193, as amended by Ordinance 16-457, authorized the establishment of an Industrial Planned Unit Development (PUD) for the property known as 3300 Clipper Mill Road, an approximately 5.27 acre parcel located between Clipper Mill Road and the Jones Falls Expressway and Light Rail right-of-way. The Jones Falls stream flows through the site, more or less parallel to the property's southerly boundary. The subject property is improved with a 2-story historic brick mill building and a 2-story out-building. A combination of paved and parking areas, gravel, and some grass and planted areas exist along the Clipper Mill Road side of the property. The property is completely within the 100-year floodplain, and a portion of the property is within the floodway.

The approved Development Plan is a mixed use development that includes restaurant, office, retail and residential uses and provides surface and structured parking. The location of the PUD in the floodplain and floodway meant that dwelling units are allowed only above the ground floor level for flood safety reasons. As a result, apartment units are allowed to be developed on the second and third floors of the main mill building. Interior parking, retail, restaurant and office space are allowed on the ground levels of structures. In addition, an egress bridge beginning from the second level of the historic building and landing on a hill on the north side of Clipper Mill Road, just outside of the floodplain area, was required. Ordinance 16-457 allowed for the modification of the square footage limitations for restaurants in the Development Plan, increasing the allowable maximum of 3,000 square feet to 10,000 square feet. Taverns, which could include live entertainment and dancing, were limited to no more than 3,000 square feet of the proposed 10,000 square foot limitation. These commercial uses are limited to the ground floor level.

no objection



Land Use Committee.
July 31, 2019
Page 2

City Council Bill 19-0413, if approved, would amend the Development Plan to permit outdoor table service accessory to a restaurant or tavern, rather than subject to Board of Municipal and Zoning Appeals approval; banquet halls would be a permitted use; and the type of permitted alcoholic beverage licenses would be expanded.

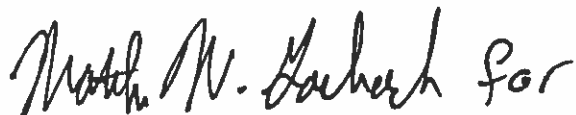
FISCAL IMPACT

The Department of Public Works does not anticipate incurring any direct fiscal impact as a result of the proposed legislation.

AGENCY/DEPARTMENT POSITION

The Department of Public Works has no objection to the passage of City Council Bill 19-0413 provided that current parking provisions can support the proposed permitted uses. Any increase in impervious area may require stormwater management review.

Should the Committee have any questions, please do not hesitate to contact Ms. Marcia Collins at 410-396-1960, or via email at Marcia.Collins@baltimorecity.gov.



Rudolph S. Chow, P.E.
Director

RSC:MMC

**CITY OF BALTIMORE
COUNCIL BILL 19-0413
(First Reader)**

Introduced by: Councilmember Pinkett

At the request of: Terra Nova Ventures, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: July 22, 2019

Assigned to: Land Use 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, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

6 BY authority of

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

11 **Recitals**

12 By Ordinance 14-193, as amended by Ordinance 16-457, the Mayor and City Council (i)
13 approved the application of Terra Nova Ventures, LLC to have certain property located at 3300
14 Clipper Mill Road, consisting of 5.267 acres, more or less, designated as an Industrial Planned
15 Unit Development and (ii) approved the Development Plan submitted by the applicant.

16 Terra Nova Ventures, LLC, wishes to amend the Development Plan, as previously approved
17 by the Mayor and City Council, to modify the uses allowed in the Planned Unit Development.

18 On June 4, 2019, representatives of Terra Nova Ventures, 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 Terra Nova Ventures, LLC, have now applied to the Baltimore City
22 Council for approval of these amendments, and they have submitted amendments to the

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

Council Bill 19-0413

1 Development Plan intended to satisfy the requirements of Baltimore City Code Article 32 -
2 Zoning § 5-201(a) and Title 13.

3 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
4 Section 3 of Ordinance 14-193 is hereby 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,
10 the following B-1, B-2, and B-3 uses are allowed:
11

12 (2) Outdoor table service accessory to a restaurant or tavern
13 is [subject to Board of Municipal and Zoning Appeals
14 approval] PERMITTED.
15

16 (E) BANQUET HALLS.

17 (F) [(e)] Subject to the approval of the Board of Liquor License
18 Commissioners for Baltimore City, a maximum of one
19 Class B restaurant alcoholic beverage license [and], one
20 Class B [tavern] MARKETPLACE alcoholic beverage license,
21 AND ONE CLASS BD7 OR CLASS D ALCOHOLIC BEVERAGE
22 LICENSE shall be permitted.

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

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
27 accompanying amended Development Plan and in order to give notice to the agencies that
28 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
29 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
30 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
31 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
32 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
33 Commissioner of Housing and Community Development, the Supervisor of Assessments for
34 Baltimore City, and the Zoning Administrator.

35 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when it is
36 enacted.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Meeting Minutes - Final

Land Use Committee

Wednesday, October 23, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0413

CHARM TV (Video Recording only, not live)

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 6 - Edward Reisinger, Shannon Sneed, Mary Pat Clarke, Ryan Dorsey, Leon F. Pinkett III, and Eric T. Costello
- Absent** 2 - Sharon Green Middleton, and Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

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.

Sponsors: Leon F. Pinkett, III

A motion was made by Clarke, seconded by Pinkett, III, that the bill be recommended favorably with amendment. The motion carried by the following vote:

- Yes:** 6 - Reisinger, Sneed, Clarke, Dorsey, Pinkett III, and Costello
- Absent:** 2 - Middleton, and Stokes Sr.

ADJOURNMENT

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG,
Ex Officio Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

HEARING NOTES

Bill: 19-0413

Planned Unit Development - Amendment 2 – Whitehall Cotton Mill

Committee: Land Use

Chaired By: Councilmember Shannon Sneed

Hearing Date: October 23, 2019
Time (Beginning): 1:00 PM
Time (Ending): 1:10 PM
Location: Clarence "Du" Burns Chamber
Total Attendance: ~20
Committee Members in Attendance:
Reisinger, Edward - Chairman
Sneed, Shannon – Vice Chair
Clarke, Mary Pat
Costello, Eric
Dorsey, Ryan
Pinkett, Leon

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing <u>televised (Charm TV) and audio-digitally</u> recorded?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?.....	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:.....	Councilmember Clarke		
Seconded by:.....	Councilmember Pinkett		
Final Vote:	Favorable/Amendment		

Major Speakers
(This is not an attendance record.)

- Mr. Eric Tiso, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Victor Tervalá, Department of Law
- Ms. Stephanie Murdock, Department of Housing and Community Development
- Mr. Mica Fetz, Baltimore Development Corporation
- Ms. Arco Sen, Parking Authority for Baltimore City
- Ms. Marcia Collins, Department of Public Works
- Mr. Matthew Stegman, Office of the Mayor
- Ms. Caroline Hecker, Esquire, representative for the applicant.

Major Issues Discussed

1. Councilmember Sneed chaired the hearing. She read the bill's number, title and purpose.
2. Mr. Eric Tiso presented the Planning Commission's recommendation of favorable with amendments pertaining to the banquet hall and parking. Planning proposed an amendment to allow only one banquet hall with certain conditions.
3. Agency representatives stated their respective agency's position on the bill.
4. Ms. Caroline Hecker testified that the owner met with the community regarding parking and that all of the community's issues have been addressed via Planning's parking amendment.
5. The committee approved amendments to the proposed bill.
6. The committee approved a recommendation of favorable with amendments.

Further Study

Was further study requested?

Yes No

If yes, describe.

Committee Vote:

Reisinger, Edward, Chairman.....	Yea
Sneed, Shannon, Vice Chair	Yea
Clarke, Mary Pat	Yea
Costello, Eric	Yea
Dorsey, Ryan	Yea
Middleton, Sharon	Absent
Pinkett, Leon.....	Yea
Stokes, Robert:.....	Absent

Jennifer L. Coates, Committee Staff



Date: October 23, 2019

cc: Bill File;
OCS Chrono File



**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Committee: Land Use Chairperson: Edward Reisinger
 Date: October 23, 2019 Time: 1:00 p.m. Place: Clarence "Du" Burns Chambers
 Subject: Ordinance - Planned Unit Development - Amendment 2 - Whitehall Cotton Mill CC Bill Number: 19-0413

PLEASE PRINT

**IF YOU WANT TO TESTIFY PLEASE CHECK
HERE**



TESTIFY

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Caroline	Hecker	25	S. Charles St, 2154A.	21201	hecker@robberingwash.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Markie	Collins		DDP			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Janelle	MummeY		DDP			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maria	James		BBMR			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

WHAT IS YOUR POSITION ON THIS BILL?
 FOR AGAINST
 LOBBYIST: ARE YOU REGISTERED IN THE CITY? YES NO

(* NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use	Chairperson: Edward Reisinger
Date: October 23, 2019	Time: 1:00 p.m.
Place: Clarence "Du" Burns Chambers	
Subject: Ordinance - Planned Unit Development - Amendment 2 - Whitehall Cotton Mill	
CC Bill Number: 19-0413	

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK
HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR	AGAINST	(*) LOBBYIST: ARE YOU REGISTER ED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
RAVEN	THOMPSON		BDC			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Meeting Agenda - Final

Land Use Committee

Wednesday, October 23, 2019

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0413

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

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.

Sponsors:

Leon F. Pinkett, III

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

Wednesday, October 23, 2019

1:00 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 19-0413

Planned Unit Development - Amendment 2 – Whitehall Cotton Mill

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Isaac "Yitzy" Schleifer
Shannon Sneed
Danielle McCray
Staff: Marguerite Currin

CYBERSECURITY AND EMERGENCY PREPAREDNESS

Eric Costello – Co-chair
Isaac "Yitzy" Schleifer – Co-chair
Sharon Green Middleton
Staff: Samuel Johnson

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Leon Pinkett
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HEALTH

Kristerfer Burnett – Chair
Bill Henry - Vice Chair
Mary Pat Clarke
Edward Reisinger
Isaac "Yitzy" Schleifer
Staff: Marguerite Murray

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Zeke Cohen
Ryan Dorsey
Bill Henry
Shannon Sneed
Staff: Richard Krummerich

JUDICIARY

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Shannon Sneed
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Mary Pat Clarke
Bill Henry
Danielle McCray
Staff: Samuel Johnson

LEGISLATIVE INVESTIGATIONS

Kristerfer Burnett – Chair
Danielle McCray – Vice Chair
Ryan Dorsey
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Matthew Peters

LAND USE

Edward Reisinger - Chair
Shannon Sneed – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Sharon Green Middleton
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Isaac "Yitzy" Schleifer – Chair
Kristerfer Burnett – Vice Chair
Zeke Cohen
Danielle McCray
Leon Pinkett
Shannon Sneed
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Danielle McCray – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)

TRANSPORTATION

Ryan Dorsey – Chair
Leon Pinkett – Vice Chair
John Bullock
Staff: Jennifer Coates



BILL SYNOPSIS

Committee: Land Use

Bill 19-0413

Planned Unit Development - Amendment 2 – Whitehall Cotton Mill

Sponsor: Councilmember Pinkett

Introduced: July 22, 2019

Purpose:

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.

Effective: Date of Enactment

Agency Reports

Planning Commission	Favorable/Amendment
Board of Municipal and Zoning Appeals	No Objection
Department of Transportation	No Objection
Department of Law	Favorable
Department of Housing and Community Development	No Objection
Baltimore Development Corporation	
Parking Authority of Baltimore City	Does Not Opposed
Department of Public Works	No Objection
Fire Department	No Objection
Finance	No Objection

Analysis

Current Law

Article 32 – Zoning; Section 5-201(a) and Title 13; Baltimore City Revised Code (Edition 2000)
Ordinance 14-193 as amended by Ordinance 16-457

Background

Terra Nova Ventures, LLC is the applicant. Whitehall Mill, LLC is the owner of the properties. The site is improved with a 2-story historic brick mill building and a 2-story out-building. The Planned Unit Development (PUD) lies just north of the Jones Falls river, near the intersection of Clipper Mill Road and Ash Street. The property is completely within the 100-year floodplain. A portion of the property is within the floodway.

The original Industrial Planned Unit Development (PUD) was established in 2014 and consisted of approximately 5.267 acres. The Development Plan for the PUD includes restaurant, office, retail and residential uses as well as surface and structure parking. The entire PUD site is zoned Industrial Mixed Use IMU-1.

If approved, Bill 19-0413 would amend the Development Plan for the PUD to authorize, as a permitted use, outdoor table service accessory to a restaurant or tavern. Currently, such use is subject to approval by the Board of Municipal Zoning Appeals. The bill would also authorize banquet halls as a permitted use, however, there is a proposed amendment from the Department of Planning to permit only one banquet hall. Lastly, the bill would authorize certain classes of alcoholic beverage licenses.

Amendments

The Department of Planning is proposing amendments (*see attachment*) which would:

- Page 2, Line 16 - Allow only one banquet hall and create certain conditions for operation of the banquet hall as follows:
 - Location of banquet hall shall be on first floor
 - Size of banquet hall shall not exceed 7,000 square feet
 - Contract users of the banquet hall must use the owner's dedicated valet parking company
 - There should only be one valet parking service operating at the property
 - Owner shall contract with other property owners for parking of cars

- Owner shall engage a manager to coordinate each event
- Page 2, Line 21 - Replace the proposed authorization for a Class D alcoholic beverage permit with that for a Class A beer and wine, and
- Page 2, line 22 - Specify certain shared, off-street parking requirements

Additional Information

Fiscal Note: Not Available

Information Source(s): Department of Planning Staff Report and Amendments

Analysis by: Jennifer L. Coates
Analysis Date: October 16, 2019



Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE
COUNCIL BILL 19-0413
(First Reader)**

Introduced by: Councilmember Pinkett

At the request of: Terra Nova Ventures, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: July 22, 2019

Assigned to: Land Use 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, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

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

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

6 BY authority of

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

11 **Recitals**

12 By Ordinance 14-193, as amended by Ordinance 16-457, the Mayor and City Council (i)
13 approved the application of Terra Nova Ventures, LLC to have certain property located at 3300
14 Clipper Mill Road, consisting of 5.267 acres, more or less, designated as an Industrial Planned
15 Unit Development and (ii) approved the Development Plan submitted by the applicant.

16 Terra Nova Ventures, LLC, wishes to amend the Development Plan, as previously approved
17 by the Mayor and City Council, to modify the uses allowed in the Planned Unit Development.

18 On June 4, 2019, representatives of Terra Nova Ventures, 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 Terra Nova Ventures, LLC, have now applied to the Baltimore City
22 Council for approval of these amendments, and they have submitted amendments to the

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

Council Bill 19-0413

1 Development Plan intended to satisfy the requirements of Baltimore City Code Article 32 -
2 Zoning § 5-201(a) and Title 13.

3 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
4 Section 3 of Ordinance 14-193 is hereby 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,
10 the following B-1, B-2, and B-3 uses are allowed:

11 ...
12 (2) Outdoor table service accessory to a restaurant or tavern
13 is [subject to Board of Municipal and Zoning Appeals
14 approval] PERMITTED.

15 ...
16 (E) BANQUET HALLS.

17 (F) [(e)] Subject to the approval of the Board of Liquor License
18 Commissioners for Baltimore City, a maximum of one
19 Class B restaurant alcoholic beverage license [and], one
20 Class B [tavern] MARKETPLACE alcoholic beverage license,
21 AND ONE CLASS BD7 OR CLASS D ALCOHOLIC BEVERAGE
22 LICENSE shall be permitted.

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

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
27 accompanying amended Development Plan and in order to give notice to the agencies that
28 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
29 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
30 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
31 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
32 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
33 Commissioner of Housing and Community Development, the Supervisor of Assessments for
34 Baltimore City, and the Zoning Administrator.

35 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect when it is
36 enacted.

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

TO: Terra Nova Ventures, LLC c/o Ms. Caroline L. Hecker, Esquire

FROM: Jennifer L. Coates, Committee Staff, Land Use Committee

Date: September 10, 2019

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING – MAP AMENDMENTS (REZONINGS); PLANNED UNIT DEVELOPMENTS

The Land Use Committee has scheduled the following City Council Bill for a public hearing:

Bill: City Council Bill No. 19-0413

Date: Wednesday, October 23, 2019

Time: 1:00 p.m.

Place: City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

- Article 32. Zoning § 5-601 – Map or Text Amendments; PUDs

For helpful information about the notice requirements under Article 32 - Zoning (pages 127 – 128) see Attachment B. You are encouraged to access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

Disclaimer. The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers

Newspaper Advertisement

A notice of the public hearing must be published in one (1) newspaper of general circulation, 15 days prior to the date of the hearing.

You may choose any of the following newspapers for advertising purposes: The Daily Record, The Baltimore Sun; or the Afro-American.

Wording for Written Notice to Property Owner(s), Sign Posting and Newspaper Advertisement

The information that must be published in a newspaper advertisement, posted on a sign and mailed to the property owner appears between the double lines on the attached page (*See Attachment A*); the deadline date is indicated in BOLD letters at the top of Attachment A.

Certification of Postings

Certification of the written notice, sign posting on the property, and publication of the newspaper advertisement, in duplicate, must be sent four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary
Baltimore City Council
100 N. Holliday Street, Fourth Floor, Room 400
Baltimore, MD 21202

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Posting Deadline:	September 23, 2019
Newspaper Ad Deadline:	October 8, 2019
Written Notice Deadline:	October 8, 2019

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff
Baltimore City Council,
Land Use Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov.

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED **SEPTEMBER 23, 2019** AND PUBLISHED BY **OCTOBER 8, 2019**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 19-0413

The Land Use Committee of the Baltimore City Council will meet on Wednesday, October 23, 2019 at 1:00 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0413.

CC 19-0413 ORDINANCE - 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.

BY authority of
Article 32 - Zoning
Section 5-201(a) and Title 13
Baltimore City Revised Code
(Edition 2000)

NOTE: This bill is subject to amendment by the Baltimore City Council.

Applicant: Terra Nova Ventures, LLC

For more information, contact: Jennifer Coates, Committee Staff at (410) 396-1260.

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS ADVERTISEMENT TO:

Ms. Caroline L. Hecker, Esquire
Rosenberg Martin Greenberg, LLP
25 S. Charles Street, 21st floor
Baltimore, MD 21218
(410) 727-6600

**ZONING
SUBTITLE 6 – NOTICES**

ARTICLE 32, § 5-601

§ 5-601. Map or text amendments; PUDs.

(a) Hearing required.

For a bill proposing a zoning map amendment, a zoning text amendment, or the creation or modification of a planned unit development, the City Council committee to which the bill has been referred must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be reviewed.

(b) Notice of hearing required.

Notice of the hearing must be given by each of the following methods, as applicable:

- (1) by publication in a newspaper of general circulation in the City;
- (2) for the creation or modification of a planned unit development and for a zoning map amendment, other than a comprehensive rezoning:
 - (i) by posting in a conspicuous place on the subject property; and
 - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of the property to be rezoned; and
- (3) for a comprehensive rezoning:
 - (i) by posting in conspicuous places within and around the perimeter of the subject area or district, as the Department of Planning designates; and
 - (ii) by first-class mailing of a written notice, on forms provided by the Zoning Administrator, to each person who appears on the tax records of the City as an owner of property within the subject area or district.

(c) Contents of notice.

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed rezoning; and
- (3) the name of the applicant.

(d) Number and manner of posted notices.

(1) For a zoning map amendment or the creation or modification of a planned unit development, the number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) for a comprehensive rezoning, a change in the boundaries of a zoning district, or the creation or modification of a planned unit development, at least 2 or more signs are required, as the Department of Planning designates;
- (iii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;
- (iv) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and
- (v) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) Timing of notices – In general.

The notice must be published, mailed, and, except as provided in subsection (f) of this section, posted:

- (1) at least 15 days before the public hearing; or
- (2) for a comprehensive rezoning, at least 30 days before the public hearing.

(f) Timing of notices – Posting for map amendment or PUDs.

For a zoning map amendment or the creation or modification of a planned unit development, the posted notice must be:

- (1) posted at least 30 days before the public hearing; and
- (2) removed within 48 hours after conclusion of the public hearing.

**STATEMENT OF INTENT
FOR**

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

1. Applicant's Contact Information:

Name: Terra Nova Ventures, LLC, c/o Caroline L. Hecker, Esq.
Mailing Address: Rosenberg Martin Greenberg, LLP
Telephone Number: (410) 727-6600
Email Address: checker@rosenbergmartin.com

2. All Proposed Zoning Changes for the Property: Amend the Planned Unit Development to modify permitted uses

3. All Intended Uses of the property: residential, retail, restaurant, and office uses

4. Current Owner's Contact Information:

Name: Whitehall Mill, LLC
Mailing Address: 1817 Thames Street
Baltimore, MD 21231
Telephone Number: 410-327-3200
Email Address: dtufaro@terranovaventures.com

5. Property Acquisition:

The property was acquired by the current owner on December 1, 2014 by deed recorded in the Land Records of Baltimore City in Liber 16735, Folio 435.

6. Contract Contingency:

(a) There is ___ is not X a contract contingent on the requested legislative authorization.

(b) If there is a contract contingent on the requested legislative authorization:

(i) The names and addresses of all parties on the contract are *{use additional sheet if necessary}*:

N/A

(ii) The purpose, nature and effect of the contract are: N/A

7. Agency:

- (a) The applicant is ___ is not X acting as an agent for another.
- (b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are as follows {use additional sheet if necessary}: N/A

AFFIDAVIT

I, Caroline L. Hecker, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information and belief.

Caroline L. Hecker
Caroline L. Hecker, Esq., Authorized Agent

7/15/19
Date

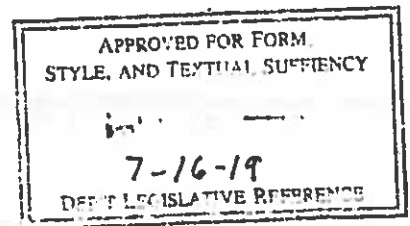
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INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Pinkett
At the request of: Terra Nova Ventures, LLC
Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South
Charles Street, Suite 21st Floor, Baltimore, Maryland 21201
Telephone: 410-727-6600

A BILL ENTITLED

AN ORDINANCE concerning

**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.

BY authority of
Article 32 - Zoning
Section 5-201(a) and Title 13
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 14-193, as amended by Ordinance 16-457, 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.

Terra Nova Ventures, LLC, wishes to amend the Development Plan, as previously approved by the Mayor and City Council, to modify the uses allowed in the Planned Unit Development.

On June 4, 2019, representatives of Terra Nova Ventures, 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.

The representatives of Terra Nova Ventures, LLC, have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the requirements of Baltimore City Code Article 32 - Zoning § 5-201(a) and Title 13.

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 3 of Ordinance 14-193 is hereby amended to read as follows:

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

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

...
(2) Outdoor table service accessory to a restaurant or tavern is [subject to Board of Municipal and Zoning Appeals approval] PERMITTED.

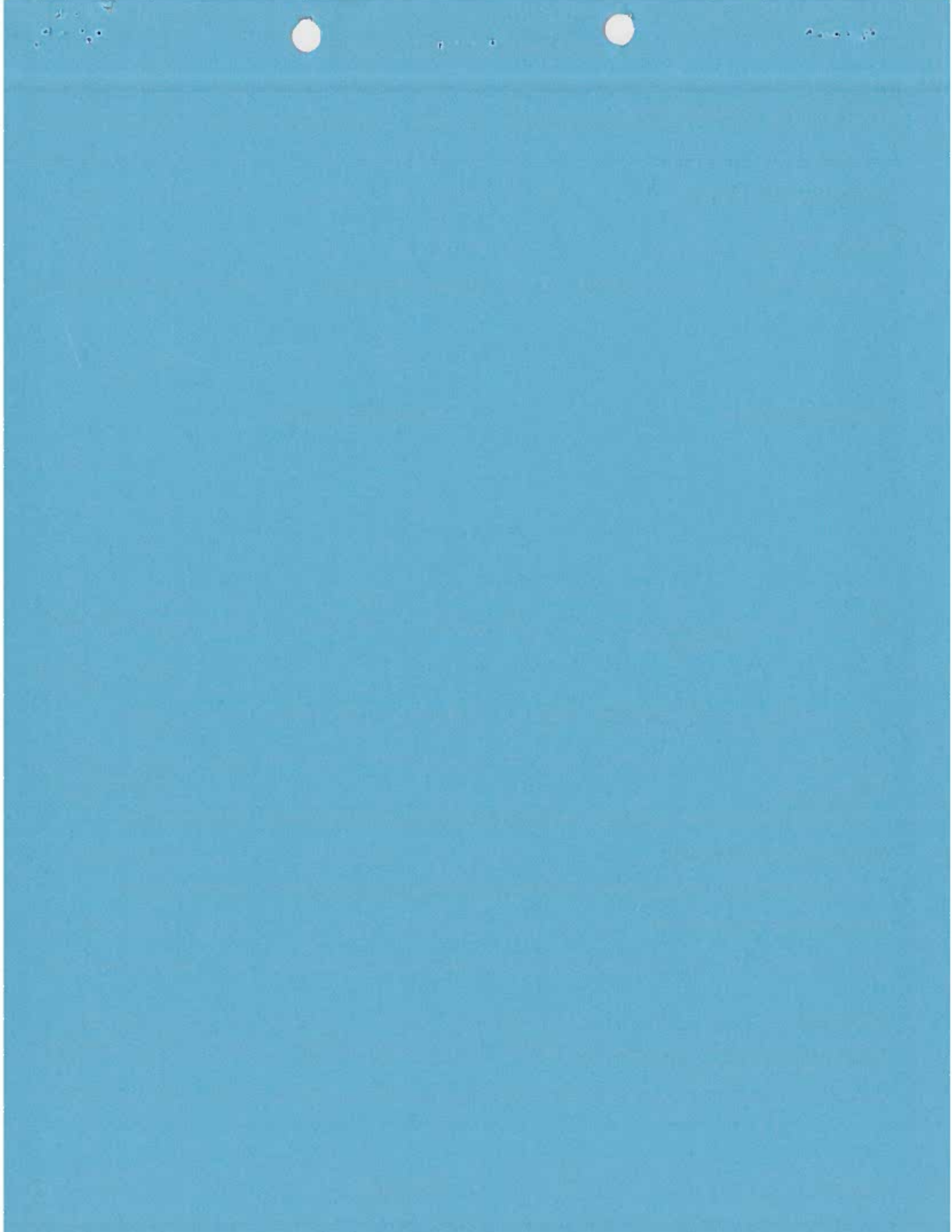
...
(E) BANQUET HALLS.

(F) [(e)] Subject to the approval of the Board of Liquor License Commissioners for Baltimore City, a maximum of one Class B restaurant alcoholic beverage license [and], one Class B [tavern] MARKETPLACE alcoholic beverage license, AND ONE CLASS BD7 OR CLASS D ALCOHOLIC BEVERAGE LICENSE shall be permitted.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying amended Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the amended Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the amended Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect when it is enacted.



ACTION BY THE CITY COUNCIL

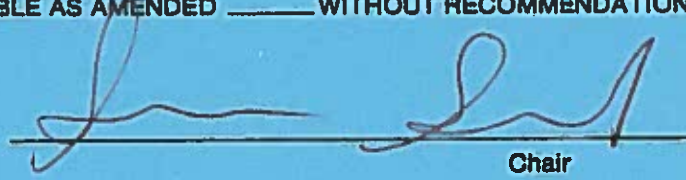
JUL 22 2019

FIRST READING (INTRODUCTION) _____ 20 _____

PUBLIC HEARING HELD ON October 23, _____ 20 19

COMMITTEE REPORT AS OF October 28, _____ 20 19

_____ FAVORABLE _____ UNFAVORABLE FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION


Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

OCT 28 2019

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____

NOV 04 2019

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk