


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #24-0511 / REPEAL OF ORDINANCE 01-284 - HOME DEPOT AT REISTERSTOWN PLAZA PLANNED UNIT DEVELOPMENT		

TO

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

DATE: May 10, 2024

At its regular meeting of May 9, 2024, the Planning Commission considered City Council Bill #24-0511, for the purpose of repealing Ordinance 01-284, which designated certain properties a Business Planned Unit Development known as Home Depot at Reisterstown Plaza; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #24-0511 and adopted the following resolutions, with eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, adopts the findings and equity analysis outlined in the staff report, with consideration for testimony and facts presented in the meeting, and recommends that City Council Bill #24-0511 be **approved** 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

attachment

cc: Ms. Nina Themelis, Mayor's Office
The Honorable Eric Costello, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Ms. Rebecca Witt, BMZA
Mr. Geoffrey Veale, Zoning Administration
Ms. Stephanie Murdock, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services



Brandon M. Scott
Mayor

PLANNING COMMISSION

Sean D. Davis, Chair; Eric Stephenson, Vice Chair

STAFF REPORT



Chris Ryer
Director

May 9, 2024

REQUEST: City Council Bill #24-0511/ Repeal of Ordinance 01-284 - Home Depot at Reisterstown Plaza Planned Unit Development:

For the purpose of repealing Ordinance 01-284, which designated certain properties a Business Planned Unit Development known as Home Depot at Reisterstown Plaza; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: TRC RRP Holdings, LLC c/o Caroline L. Hecker, Esquire

OWNER: TRC RRP Holdings, LLC

SITE/GENERAL AREA

Site Conditions: This Planned Unit Development (PUD) was created for the Home Depot, and is known as 6620 Reisterstown Road. That mailing address is a part of the greater lot of 6512 Reisterstown Road, which also includes the Reisterstown Plaza Shopping Center and its outparcels. The overall shopping center is located on the south side of Reisterstown Road, between the intersections with Patterson Avenue and Brookhill Road, and generally extends southward to Vincent Lane. The Home Depot is located to the south of the shopping center, and is most directly accessed from Patterson Avenue.

General Area: The Reisterstown Road corridor consists of numerous commercial uses, which are generally zoned C-2, C-3, and C-4. Directly to the west of the site are an apartment complex and the rail line. Further to the west is a Transit Station, Wabash Avenue, the Seton Business Park and the Fallstaff neighborhood.

HISTORY

- Ordinance #01-254, Reisterstown Road Plaza Planned Unit Development, was approved on October 22, 2001.
- Ordinance #09-219, established the Reisterstown Plaza Transit Station Urban Renewal Plan, was approved on October 2, 2009.
- Ordinance #21-042 repealed the Reisterstown Plaza Transit Station Urban Renewal Area and Plan on Oct 4, 2021.

ANALYSIS

Article 32 – *Zoning* §13-205 provides for the repeal of PUDs:

“In determining whether to approve the repeal of a planned unit development, the Planning Commission and the City Council must find that:

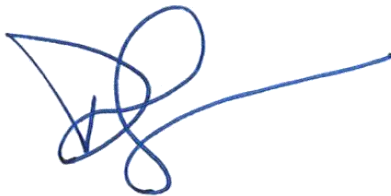
- (1) the repeal of the planned unit development is in the public interest; and
- (2) the approved final development plan of the planned unit development:
 - (i) has been substantially completed;
 - (ii) is no longer necessary in light of the property's underlying zoning;
 - (iii) is no longer consistent with the City's Master Plan; or
 - (iv) has been abandoned by the property owner.”

The PUD for this site was created for only one purpose – to solve a minor problem in the existing zoning of the property at that time. Because the underlying zoning district was B-2-1 under the prior zoning code, and because it had a provision under §6-305(c) that had a general requirement that “...business, servicing, processing, and storage uses must be located within enclosed structures.” the proposed Home Depot had a problem with their proposed outside storage area for the garden center and lumber area. For that reason, the PUD was created to authorize accessory outdoor storage for that portion of the business’ use. In today’s zoning code, accessory outdoor storage is a conditional use per § 15-510 (a)(2). Because the singular purpose for the creation of the PUD is now available in the current C-3 zoning district, the PUD is no longer necessary, and per §13-205(2)(ii) it can be repealed.

Equity:

Given that the PUD was created for a singular purpose over twenty years ago, to solve a minor zoning concern, and given that the repeal of the PUD will allow the use to continue as a lawful conditional use, there will be no evident change to the business, and therefore no visible impacts will be seen by the surrounding community. No additional staff time or resources will be devoted following the repeal of this PUD.

Notification: The Fallstaff Improvement Association, Glen Neighborhood Improvement Association, Brighton Community Association, CHAI, and the Hilltop4100 have been notified of this action.



Chris Ryer
Director