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**BALTIMORE CITY COUNCIL
WAYS AND MEANS
COMMITTEE**

Mission Statement

The Committee on Ways and Means (WM) is responsible for ensuring taxpayer dollars are expended prudently and equitably. WM will exercise regular oversight of the City's budget, expenditures, loans, and other financial matters. The committee's areas of jurisdiction include: budget & appropriations, taxation, financial services, consumer protection, audits, and the Comptroller's Office.

**The Honorable Eric T. Costello
Chairman**

PUBLIC HEARING

**TUESDAY, AUGUST 6, 2024
10:02 AM**

COUNCIL CHAMBERS

Council Bill #24-0512

**Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 –
Reisterstown Road Plaza Shopping Center Planned Unit Development**

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BILL SYNOPSIS

Committee: Ways and Means

Bill 24-0512

Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 – Reisterstown Road Plaza Shopping Center Planned Unit Development

Sponsor: Councilmember Schleifer at the request of TRC RRP Holdings, LLC

Introduced: April 8, 2024

Purpose:

For the purpose of repealing Ordinance 01-0257, as amended by Ordinance 02-447, which designated certain properties a Business Planned Unit Development known Reisterstown Road Plaza Shopping Center; and providing for a special effective date.

Effective: On the date it is enacted.

Agency Reports

Law Department	None as of this writing
Planning Commission	Favorable
Department of Housing & Community Development	None as of this writing
Baltimore Development Corporation	Favorable
Department of Transportation	No Objection

Analysis

Current Law

Ordinance 01-284

Article 32 - Zoning Code law require the Mayor and City Council to find as follows when deciding whether to repeal a Planned Unit Development (PUD):

1. the repeal of the PUD is in the public interest; and
2. the approved final development plan of the PUD:
 - 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.

Background

Council Bill 24-0512, if enacted would repeal (cancel) the prior Ordinances that were established for the PUD for Reisterstown Plaza Shopping Center, Baltimore City, Maryland 21215. This property is located in the 5th Council District.

Per the Planning Commission the PUD was created to solve a minor problem in the existing zoning of the property at that time. However, today's zoning code for the creation of similar PUDs is now available in the current C-3 zoning district, the PUD is no longer necessary, and per subsection 13-205(2)(ii) it can be repealed.



The Department of Planning/Planning Commission has provided extensive information regarding the site, its history and etc. in their agency report. *See attached report.*

Community associations have been notified about this Ordinance/action.

Additional Information

Fiscal Note: None

Information Source(s): Bill 24-0512 and all agency reports, and all correspondence received as of this writing.

Analysis by: *Marguerite M. Currin*
Analysis Date: August 1, 2024

Direct Inquiries to: (443) 984-3485

CITY OF BALTIMORE
COUNCIL BILL 24-0512
(First Reader)

Introduced by: Councilmember Schleifer
At the request of: TRC RRP Holdings, LLC
Address: c/o Caroline L. Hecker, Esquire
25 S. Charles Street, 21st Floor
Baltimore, Maryland 21201
Telephone: (410) 727-6600

Introduced and read first time: April 8, 2024

Assigned to: Ways and Means Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Department of Housing and Community Development, Baltimore Development Corporation, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 – Reisterstown**
3 **Road Plaza Shopping Center Planned Unit Development**

4 FOR the purpose of repealing Ordinance 01-257, as amended by Ordinance 02-447, which
5 designated certain properties a Business Planned Unit Development known as Reisterstown
6 Road Plaza Shopping Center; and providing for a special effective date.

7 BY repealing
8 Ordinance 01-257, as amended by Ordinance 02-447

9 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
10 Ordinance 01-257, as amended by Ordinance 02-447, is repealed, and the authority conferred in
11 that Ordinance to designate certain properties a Business Planned Unit Development known as
12 Reisterstown Road Plaza Shopping Center is rescinded.

13 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
14 enacted.

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

Council Bill 24-0512

AGENCY REPORTS

See attached



MEMORANDUM

DATE: May 15, 2024
TO: Ways and Means Committee
FROM: Colin Tarbert, President and CEO
POSITION: Favorable
SUBJECT: Council Bill 23-0512

INTRODUCTION

The Baltimore Development Corporation (BDC) is reporting on City Council Bill 24-0512 introduced by Councilmember Schleifer.

PURPOSE

Council Bill 24-0512 will repeal Ordinance 01-257, as amended by Ordinance 02-447, regarding the Reisterstown Road Plaza Shopping Center Planned Unit Development (PUD). Council Bill 24-0512 is necessary to help restore the zoning to current standards. Passage of the bill will help to facilitate more uses and help create a better shopping experience for the neighborhood.

BRIEF HISTORY

The Reisterstown Road Plaza Shopping Center PUD was originally passed in 2001. At the time, the PUD was necessary to allow for uses that the prior zoning code restricted, such as outdoor storage. However, a second PUD was also created on an adjacent parcel to create a use normally restricted by zoning. Since this PUD was created over 20 years ago, the City underwent a comprehensive rezoning process, which modified the underlying zoning and allowable uses for the property such that the PUD is now obsolete.

FISCAL IMPACT [to BDC]


None.

AGENCY POSITION

The Baltimore Development Corporation respectfully submits a **favorable** report on City Council Bill 23-0512. If you have any questions, please contact Kim Clark at 410-837-9305 or KClark@baltimoredevelopment.com.

cc: Nina Themelis, Mayor's Office of Government Relations
Sophia Gebrehiwot, Mayor's Office of Government Relations

[DG]

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 #24-0512 / REPEAL OF ORDINANCE 01-257, AS AMENDED BY ORDINANCE 02-447 - REISTERSTOWN ROAD PLAZA SHOPPING CENTER		

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 #24-0512, for the purpose of repealing Ordinance 01-257, as amended by Ordinance 02-447, which designated certain properties a Business Planned Unit Development known as Reisterstown Road Plaza Shopping Center; 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 #24-0512 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 #24-0512 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 #24-0512/ Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 - Reisterstown Road Plaza Shopping Center Planned Unit Development: For the purpose of repealing Ordinance 01-257, as amended by Ordinance 02-447, which designated certain properties a Business Planned Unit Development known as Reisterstown Road Plaza Shopping Center; 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 restaurant outparcels along the perimeter of the Reisterstown Road Plaza Shopping Center, along the Reisterstown Road and Patterson Avenue frontages. Four restaurant outparcels and a sit-down restaurant are currently built within this PUD. 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.

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 #01-257, Reisterstown Road Plaza Planned Unit Development, was approved on November 9, 2001.
- Ordinance #02-447, the latest amendment to the Reisterstown Road Plaza Planned Unit Development, was approved on October 31, 2002.
- Final Design Approval for the Applebee's Restaurant was approved by the Planning Commission on August 15, 2002.
- Final Design Approval for the Giant Gas Station was approved by the Planning Commission on October 23, 2003. (Approved, but not built)
- Final Design Approval for the Patterson Avenue Retail Pad Site was approved by the Planning Commission on December 18, 2003. (Approved, but not built)

- Final Design Approval for the Yum! Brands Restaurant Pad Site was approved by the Planning Commission on July 8, 2004.
- Final Design Approval for the Wendy's Restaurant Pad Site was approved by the Planning Commission on August 26, 2004.
- Final Design Approval for the Retail Pad Site was approved by the Planning Commission on August 26, 2004. (Approved, but not built)
- Final Design Approval for the Old Country Buffet was approved by the Planning Commission on September 9, 2004. (Approved, but not built)
- Final Design Approval for a Checkers Restaurant was approved by the Planning Commission on March 24, 2005.
- Ordinance #09-219, established the Reisterstown Plaza Transit Station Urban Renewal Plan, on October 2, 2009.
- Minor Amendment and Final Design Approval for the Patterson Avenue retail outparcel was approved by the Planning Commission on August 4, 2016. (Approved, but not built)
- 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:

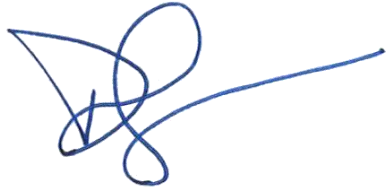
- (1) the repeal of the planned unit development is in the public interest; and
- (2) the approved final development plan of the planned unit development:
 - (i) has been substantially completed;
 - (ii) is no longer necessary in light of the property's underlying zoning;
 - (iii) is no longer consistent 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 drive-through establishments were only allowed in B-3 or higher business zones, the outparcel locations couldn't be developed with fast-food restaurants as the owners would've liked. For that reason, the PUD was created to authorize a variety of drive-through uses and a gas station use. In today's zoning code, drive-through establishments and fuel stations are a conditional use per Table 10-301. Because that 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 existing businesses, 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.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Chris Ryer
Director



**CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT**

TO	The Honorable President and Members of the Baltimore City Council
FROM	Corren Johnson, Director – Department of Transportation
DATE	May 10, 2024
SUBJECT	24-0512 Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 - Reisterstown Road Plaza Shopping Center Planned Unit Development

Position: No Objection

Introduction

Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 - Reisterstown Road Plaza Shopping Center Planned Unit Development For the purpose of repealing Ordinance 01-257, as amended by Ordinance 02-447, which designated certain properties a Business Planned Unit Development known as Reisterstown Road Plaza Shopping Center; and providing for a special effective date.

DOT Analysis

Council Bill 24-0512 would repeal the planned unit development established and later amended to guide the development of the Reisterstown Plaza. Planned unit developments are typically repealed once they are no longer needed and/or have fulfilled their purpose. Updates to the Zoning Code have created zoning districts that better serve the City's development goals, thus reducing the need for specialized zoning arrangements.

Conclusion

The Department foresees no impact and therefore has no objection to the advancement of Council Bill 24-0512.

Council Bill 24-0512

ADDITIONAL DOCUMENTS

See attached

Baltimore City Council
Certificate of Posting - Public Hearing Notice

Today's Date: [7/08/2024]

City Council Bill No.: 24-0512



(Place a picture of the posted sign in the space below.)

Address: Reisterstown Road Plaza Patterson Avenue Frontage

Date Posted: July 6, 2024

[Handwritten signature: Martin Ogle]

Name: Martin Ogle

Address: 9912 Maidbrook Road Parkville Md, 21234

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

Baltimore City Council
Certificate of Posting - Public Hearing Notice

Today's Date: [7/08/2024]

City Council Bill No.: 24-0512



(Place a picture of the posted sign in the space below.)

Address: Reisterstown Road Plaza Eberle Dr Frontage

Date Posted: July 6, 2024

[Handwritten signature: Martin Ogle]

Name: Martin Ogle

Address: 9912 Maidbrook Road Parkville Md, 21234

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

Baltimore City Council
Certificate of Posting - Public Hearing Notice

Today's Date: [7/08/2024]

City Council Bill No.: 24-0512



(Place a picture of the posted sign in the space below.)

Address: Reisterstown Road Plaza Clarks Lane Frontage

Date Posted: July 6, 2024

Natawna B. Austin

Name: Martin Ogle

Address: 9912 Maidbrook Road Parkville Md, 21234

Telephone: 443-629-3411

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

Baltimore City Council
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Today's Date: [7/08/2024]

City Council Bill No.: 24-0512



(Place a picture of the posted sign in the space below.)

Address: Reisterstown Road Plaza Brookhill Rd Frontage

Date Posted: July 6, 2024

[Handwritten signature: Martin Ogle]

Name: Martin Ogle

Address: 9912 Maidbrook Road Parkville Md, 21234

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

Maryland The Daily Record
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Baltimore, MD, 21202
Phone: 4435248100

MARYLAND

THE DAILY RECORD

Affidavit of Publication

To: Rosenberg, Martin, Greenberg, LLP - Caroline L. Hecker
25 S Charles St, Fl 21
Baltimore, MD, 21201

Re: Legal Notice 2631585,
PUBLIC HEARING ON BILL NO. 24-0512

We hereby certify that the annexed advertisement was
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07/16/2024

By



Joy Hough
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Baltimore City

BAITIMORE CITY COUNCIL PUBLIC HEARING ON BILL NO. 24-0512

The Ways and Means Committee of the Baltimore City Council will conduct a public hearing on City Council Bill No. 24-0512 on August 6, 2024 at 10:00 A.M. in the Clarence "Du" Burns Chamber, City Hall, 100 N. Holliday Street, 4th Floor, Baltimore, MD 21202. Information on how the public can participate in the hearing virtually, via Webex, will be available at <https://baltimore.legistar.com/Calendar.aspx>.

Repeal of Ordinance 01-257, as Amended by Ordinance 02-447 - Reisterstown Road Plaza Shopping Center Planned Unit Development

For the purpose of repealing Ordinance 01-257, as amended by Ordinance 02-447, which designated certain properties a Business Planned Unit Development known as Reisterstown Road Plaza Shopping Center; and providing for a special effective date.

BY repealing

Ordinance 01-257, as amended by Ordinance 02-447

Applicant: TRC RRP Holdings, LLC

For more information, contact Committee Staff at (443) 984-3485.

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

Eric T. Costello
Chair

Jy16 2631585