



# City of Baltimore

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

## Legislation Text

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**File #:** 13-0246, **Version:** 0

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INTRODUCTORY\*

### CITY OF BALTIMORE COUNCIL BILL

Introduced by: Councilmember Mosby  
At the request of: Terra Nova Ventures, LLC  
Address: c/o Alfred W. Barry, AB Associates, One South Calvert Street, Suite 1150,  
Baltimore, Maryland 21202  
Telephone: 410-547-6900

### A BILL ENTITLED

AN ORDINANCE concerning  
**Planned Unit Development - Designation - Whitehall Cotton Mill**

FOR the purpose of approving the application of Terra Nova Ventures, LLC, contract purchaser of certain property located at 3300 Clipper Mill Road, to have that property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of  
Article - Zoning  
Title 9, Subtitles 1 and 5  
Baltimore City Revised Code  
(Edition 2000)

### Recitals

KOMAR Properties II Limited Partnership is the fee simple owner of property located at 3300 Clipper Mill Road, consisting of 5.267 acres, more or less, and is under contract to sell the property to Terra Nova Ventures, LLC ("Terra Nova").

Terra Nova proposes to redevelop the property into a mixed-use development consisting of residential, office, light industrial, and retail uses. Terra Nova plans to assign its contract to a related company.

On February 19, 2013, representatives of Terra Nova met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated an Industrial Planned Unit Development.

The representatives of Terra Nova have now applied to the Baltimore City Council for designation of the property as an Industrial Planned Unit Development, and they have submitted a Development Plan intended to satisfy the

requirements of Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Terra Nova Ventures, LLC, contract purchaser of the property located at 3300 Clipper Mill Road, consisting of 5.267 acres, more or less, as outlined on the accompanying Development Plan entitled “Whitehall Cotton Mill”, consisting of Sheet 1, “Existing Conditions Plan”, dated March 11, 2013; Sheet 2, “Proposed Conditions Plan”, dated March 11, 2013; Sheet 3, “Landscape Plan”, dated January 31, 2013; Sheet 4, “First Floor Plan”, dated March 12, 2013; Sheet 5, “Upper Floor Plans”, dated March 12, 2013; and Sheet 6, “Exterior Elevations”, dated March 12, 2013, to designate the property an Industrial Planned Unit Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan submitted by Terra Nova Ventures, LLC, is approved.

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:

(a) In accordance with § 9-502 of the Baltimore City Zoning Code, the following M-1 and M-2 uses are permitted:

- Alcohol distillation
- Beer and ale brewing
- Bottling works
- Brooms, brushes: manufacturing
- Candy: manufacturing
- Canvas products: manufacturing
- Cotton processing
- Fermented fruits and vegetables: processing
- Furniture and fixtures: manufacturing
- Glass: manufacturing
- Glass products: manufacturing from previously prepared materials
- Lithography
- Malting
- Metals: finishing
- Musical instruments, including organs and pianos: manufacturing
- Perfumes: manufacturing
- Photography film: manufacturing and processing
- Pottery and chinaware: manufacturing
- Tool, die, or pattern making shops
- Toys and games: manufacturing
- Stone cutting
- Wax, wax products: manufacturing.

(b) In accordance with § 9-503 of the Baltimore City Zoning Code, the following uses are permitted: multifamily residential uses in all buildings. Overall residential density will be calculated at a rate of 1,500 square feet per unit based on the overall site square footage.

(c) In accordance with § 9-503 of the Baltimore City Zoning Code, the following O-R uses are permitted in all buildings: offices, philanthropic and charitable institutions.

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

- (1)     Antique store  
          Art gallery  
          Art and school supply stores  
          Art needlework shops  
          Artisans' and craft work  
          Artists' studios (live and work)  
          Athletic fields  
          Automatic teller machines  
          Bakery - including the sale of bakery products to restaurants, hotels, clubs, and similar establishments  
          Barber shops  
          Beauty shops  
          Banks and savings and loan associations  
          Bicycles: sales, rental, and repair - but not including any mechanical painting on the premises  
          Book store: general  
          Business and office machines: sales, rental, and service  
          Camera photographic supply store  
          Candy and ice cream stores  
          Carpet and rug stores  
          Carry-out food shops  
          Catering establishments: food  
          China and glassware stores  
          Clothing shops  
          Computer centers  
          Dance and music studio  
          Day nurseries and nursery schools  
          Delicatessens  
          Dry cleaning and laundry receiving stations - processing done elsewhere  
          Electrical and household appliance repair stores  
          Fabric shops  
          Florist shops  
          Food stores, grocery stores and delicatessens  
          Furniture stores - including upholstery when conducted as an accessory use  
          Garden supply, tool, and seed stores  
          Gift and card shops  
          Greenhouses  
          Hardware stores  
          Hobby shops  
          Interior decorating  
          Interior decorating shops - including upholstery and making draperies, slip covers, and similar articles when conducted as an accessory use  
          Jewelry stores - including watch repair  
          Leather goods and luggage stores  
          Libraries and art galleries  
          Locksmith shops

Lunch room  
Meat markets  
Medical and dental clinics  
Musical instruments: sales and repair  
Newsstands  
Novelty shops  
Opticians: sales and service

Paint, wallpaper, tile, and floor covering stores  
Photocopying service  
Photographers  
Physical culture and health services: gymnasiums, reducing salons, and public

baths

Picture framing shops - when conducted for retail trade on the premises  
Printing and publishing  
Record, tape, CD, and sheet music stores  
Recording studio  
Reducing salons  
Restaurants, including live entertainment and dancing  
Schools: business, dance and music studios  
Security sales, brokerages and exchanges  
Shoe and hat repair stores  
Sporting and athletic goods stores  
Stationery stores  
Tailor or dressmaking shops: custom work or repairs  
Taverns, including live entertainment and dancing  
Tobacco shops  
Toy stores  
Travel bureaus  
Variety stores  
Watch and clock shops  
Wearing apparel shops  
Woodworking, custom and custom furniture-making shops.

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

(3) Live entertainment and dancing, when accessory to a restaurant or a tavern, is subject to Board of Municipal and Zoning Appeals approval.

(4) Each of the following commercial uses shall be limited in their location to the ground level and shall not exceed a total of 3,000 square feet:

- (i) Restaurants, including live entertainment and dancing
- (ii) Taverns, including live entertainment and dancing.

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

- (i) Food stores, grocery, delicatessens.

- (6) Each of the following commercial uses shall be expressly prohibited:
  - (i) Restaurants: drive-in - including pick-up drives with window service
  - (ii) Restaurants: drive-in - no pick-up drives with window service.
- (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 alcoholic beverage license shall be permitted.

SECTION 4. 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 5. AND BE IT FURTHER ORDAINED, That off-street parking requirements for the Planned Unit Development are as 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.

- (a) Office use: 1 parking space per 400 square feet of floor area in excess of 1,000 square feet.
- (b) Residential use: apartments (multiple family dwellings): 1 parking space per dwelling unit.
- (c) Retail use: 1 parking space per 300 square feet of floor area in excess of 1,000 square feet.
- (d) Industrial use: 1 parking space per 4 employees, plus 1 parking space per company or business vehicle maintained on the premises.
- (e) Parking may be included inside the buildings, as well as surface parking on the property.
- (f) For the entire Planned Unit Development, a minimum of 160 on-site parking spaces will be provided. In addition, 1 parking space per apartment unit will be included in the lease for all residential tenants with a registered vehicle.

SECTION 6. AND BE IT FURTHER ORDAINED, That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.

SECTION 7. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying 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 Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the 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 8. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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