



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

November 7, 2013

REQUEST: City Council Bill #13-0268/Zoning- Sign Regulations for Video Lottery Facilities

For the purpose of amending the definition of "video lottery facilities" to include "associated parking facilities located on adjacent lots"; and amending the sign regulations to establish specific regulations for video lottery facilities.

RECOMMENDATION: Approval

STAFF: Christina Gaymon

PETITIONER(S): CBAC Borrower, LLC

OWNER: CBAC Borrower, LLC

SITE/GENERAL AREA

Site Conditions and General Area: Citywide

HISTORY

On May 28, 2009, the Planning Commission approved CCB #09-0330- Zoning- Video Lottery Facilities, for the purpose of allowing a video lottery facility as a permitted use in certain districts; defining certain terms; and providing for a special effective date.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, LIVE Goal 2: Elevate the Design and Quality of the City's Built Environment; Objective 2: Streamline and Strengthen the Development Process.

ANALYSIS

Zoning Analysis:

1. Title 1. Definitions; General Provisions: The current definition for "video lottery facilities" (VLF) includes only the permitted number of terminals, associated food and beverage operations, and associated live entertainment and dancing. The bill proposes to include "associated parking facilities located on adjacent lots" in the definition. This amendment would make the premises of a VLF inclusive of an associated parking

garage and thus permit signage for activities within the VLF to be placed on the garage. Absent this amendment, signage affixed to the garage would be considered "general advertising signs" and be prohibited per §11-206 of the Zoning Code.

2. Title 11. Sign Regulations; §11-416. Nameplates, business sign, and identification signs: Section 11-416 of the Zoning Code limits the total permitted area of all signs in the B-2 district to three (3) times the lineal feet of the length of building facing the front lot line. For atypical B-2 commercial development, such as VLF, which are grand in scale, have multiple street frontages, and house numerous businesses within that are not externally exposed, the area regulation for signage is restrictive and may be detrimental to the success of the establishment and economic growth of the city. For Baltimore Horseshoe Casino, a VLF currently under construction in the city, the maximum area of signage permitted would be 3,600 square feet. However, the Urban Design and Architecture Review Panel (UDARP), an advisory board to the Department of Planning, recommended approval of approximately 12,000 square feet of signage.

In order to achieve the overall design and marketing goals for such commercial development, the bill proposes to exclude VLF from the area factor for signs in the B-2 district. Instead, it proposes a maximum of 15,000 square feet of signage for VLF. This maximum area will allow greater flexibility to install new business identification signs for VLF and their vendors, as well as the ability to modify the signs to maintain a state-of-the-art facility.

3. Title 11. Sign Regulations; §11-417. Parking access signs: Per §11-417 of the Zoning Code, only one (1) non-illuminated or indirectly or directly illuminated sign is permitted for each street frontage of the lot; and must not exceed an area of 12 square feet, a height of 12 feet, and a projection of 3 feet across a lot line.

The scale and location of the associated parking garage for the VLF currently under construction necessitate additional signage beyond what is permitted to ensure pedestrian safety and optimal vehicular circulation. For this reason, the bill proposes to exclude VLF from this regulation.

Urban Renewal Plan Analysis:

The Constitution of Maryland, Article 19 limits the siting of video lottery facilities to one specific location in the Carroll Camden Urban Renewal Plan area. In addition to the regulations for signage imposed by the Zoning Code, VLF must also comply with the design guidelines of the Carroll Camden URP. However, the Commissioner of the Department of Housing and Community Development can waive compliance to the plan if it is determined that the waiver would not adversely affect the Design and Rehabilitation Standards. Regarding Baltimore Horseshoe Casino, the amount of signage proposed does not meet the area standards outlined in the URP. The petitioner will work with the Baltimore Development Corporation, administrators of the Carroll Camden URP, to draft a waiver for the Commissioner's consideration. Baltimore Development Corporation and the Department of Planning will retain design control over signage as a condition of this waiver.

Community Notification: The following community organizations have been notified of this action: Baltimore Casino Local Development Council, Carroll/Camden Industrial Business, Association, Gwynn's Falls Trail Council, Southern District Police-Community Relations, Council, Southwest Community Council, Inc., Citizens of Pigtown, Communities Organized To Improve Life (COIL), Key Highway Task Force, Project T.O.O.U.R., Southwest Community Action Center, The Honorable Edward Reisinger, City Councilman 10th District



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