

**CITY OF BALTIMORE
COUNCIL BILL 16-0633
(First Reader)**

Introduced by: Councilmember Kraft

At the request of: COPT CCW I, LLC; COPT CCW II, LLC; COPT CCW III, LLC; COPT Harbour's Edge, LLC; COPT CC Tower, LLC; COPT CC D1, LLC; COPT CCW IV, LLC
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Introduced and read first time: March 7, 2016

Assigned to: Land Use and Transportation 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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Canton Crossing**

3 FOR the purpose of repealing the existing Development Plan for the Canton Crossing Planned
4 Unit Development and approving a new Development Plan for the Canton Crossing Planned
5 Unit Development.

6 BY authority of

7 Article - Zoning
8 Title 9, Subtitles 1 and 5
9 Baltimore City Revised Code
10 (Edition 2000)

11 **Recitals**

12 By Ordinance 01-192, the Mayor and City Council approved the application of Canton
13 Crossing, LLC, to have certain property located south of Boston Street, east of South Haven
14 Street, north of Danville Avenue, and east of the Patapsco River (but also including certain
15 riparian rights), consisting of 67.19 acres, more or less, designated as an Industrial Planned Unit
16 Development and approved the Development Plan submitted by the applicant. Ordinance 01-192
17 was subsequently amended by Ordinances 02-369, 03-641, 04-873, 07-633, and 11-570.

18 COPT CCW I, LLC; COPT CCW II, LLC; COPT CCW III, LLC; COPT
19 Harbour's Edge, LLC; COPT CC Tower, LLC; COPT CC D1, LLC; COPT CCW IV, LLC (the
20 "COPT Entities") are the current owners of certain property within the Planned Unit
21 Development. The COPT Entities, on behalf of themselves and the other property owners within
22 the Planned Unit Development, wish to rescind Ordinance 01-192, as amended by Ordinances
23 02-369, 03-641, 04-873, 07-633, and 11-570, and to replace the existing Development Plan with

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

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1 a new one that will amend the permitted uses and their density, and to generally provide for a
2 mixed-use, live/work/play urban development including, but not limited to, residential, hotel,
3 office, and retail uses.

4 On February 1, 2016, representatives of the Applicant met with the Department of Planning
5 for a preliminary conference, to explain the scope and nature of existing and proposed
6 development on the property and to institute proceedings to have the property designated an
7 Industrial Planned Unit Development.

8 The representatives of the Applicant have now applied to the Baltimore City Council for
9 designation of the property as an Industrial Planned Unit Development, and they have submitted
10 a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the
11 Baltimore City Zoning Code.

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
13 Ordinances 01-192, 02-369, 03-641, 04-873, 07-633, and 11-570 are repealed.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
15 application of the COPT Entities to designate the property located south of Boston Street, east of
16 South Haven Street, north of Danville Avenue, and east of the Patapsco River (but also
17 including certain riparian rights), consisting of 67.19 acres, more or less, as an Industrial Planned
18 Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council of Baltimore
20 approves the replacement of the Planned Unit Development and approves the new Development
21 Plan submitted by the Applicant, as attached to and made part of this Ordinance, including:

- 22 (a) Sheet 1, “Existing Conditions Plan”, dated February 29, 2016;
23 (b) Sheet 2, “Development Plan”, dated February 29, 2016;
24 (c) Sheet 3, “Illustrative Landscape Plan”, dated February 29, 2016;
25 (d) Sheet 4, “Zoning Envelope 3D Diagram”, dated February 29, 2016; and
26 (e) Sheet 5, “Illustrative Site Plan”, dated February 29, 2016.

27 **SECTION 4. AND BE IT FURTHER ORDAINED,** That in accordance with Title 9, Subtitles 1 and
28 5 of the Baltimore City Zoning Code, the following uses are permitted within the Planned Unit
29 Development:

- 30 (a) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning District.
31 (b) The following additional uses are specifically permitted in the Planned Unit
32 Development:
33 (1) ambulance service
34 (2) amusement arcades for adults over the age of 21

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- 1 (3) animal hospitals
- 2 (4) artisans' and craft work
- 3 (5) automobile accessory stores - including repair and installation services so long
4 as all work is done under or in an area screened from view
- 5 (6) bakeries - including the sale of bakery products to restaurants, hotels, clubs,
6 and similar establishments
- 7 (7) boats: sales, rental, and repair so long as all work is done under or in an area
8 screened from view
- 9 (8) bookbinding
- 10 (9) cartage and express facilities
- 11 (10) dry cleaning establishments
- 12 (11) fire and police stations
- 13 (12) food commissaries
- 14 (13) fuel and ice sales
- 15 (14) garages and lots for bus and transit vehicles
- 16 (15) greenhouses
- 17 (16) laboratories: research and testing
- 18 (17) live entertainment and dancing
- 19 (18) machinery: sales, rental and service so long as all work is done under or in an
20 area screened from view
- 21 (19) maritime suppliers
- 22 (20) microwave antennas (satellite dishes) so long as mounted on rooftops and
23 screened from street view
- 24 (21) milk and dairy products: processing and distribution
- 25 (22) motor vehicles: rental
- 26 (23) motor vehicles: sales
- 27 (24) parcel collection and delivery stations

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- 1 (25) parking, open off-street areas and off-street garages, other than accessory, for
2 the parking of 3 or more motor vehicles
- 3 (26) photographic printing and developing establishments
- 4 (27) plumbing, heating and electrical equipment showrooms and shops
- 5 (28) outdoor seating and table service as accessory to any restaurant use
- 6 (29) recreational facilities: indoor
- 7 (30) recreational facilities: outdoor
- 8 (31) restaurants: drive-in, including pick-up drives with window service
- 9 (32) schools: commercial
- 10 (33) schools: trade
- 11 (34) schools and studios: business, dance and music
- 12 (35) upholstering shops
- 13 (36) vending machines for retail sale of products
- 14 (37) woodworking: custom, and custom furniture-making shops
- 15 (c) The following uses are authorized in the Planned Unit Development only if first
16 approved by the Board of Municipal and Zoning Appeals in accordance with the
17 requirements and provisions of the Zoning Code of Baltimore City, Title 14
18 {Conditional Uses}:
 - 19 (1) heliports
 - 20 (2) repeater, transformer, pumping, booster, switching, conditioning and
21 regulating stations as a principal use
- 22 (d) The following uses are prohibited in the Planned Unit Development:
 - 23 (1) adult entertainment
 - 24 (2) after hours establishments
 - 25 (3) amusement parks and permanent carnivals
 - 26 (4) arcades
 - 27 (5) automobile painting shops
 - 28 (6) bail bondsmen

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- 1 (7) books or video stores - adult
- 2 (8) check cashing
- 3 (9) community corrections centers
- 4 (10) contractor construction shops and yards
- 5 (11) firearms and ammunition sales
- 6 (12) fraternity and sorority houses
- 7 (13) garages, other than accessory, for storage, repair and servicing of motor
- 8 vehicles not over 1-½ tons capacity - including body repair, painting, and
- 9 engine rebuilding
- 10 (14) highway maintenance shops and yards
- 11 (15) mobile home sales
- 12 (16) pawnshops
- 13 (17) parole and probation centers
- 14 (18) payday loan shops
- 15 (19) peep show establishments
- 16 (20) rooming houses
- 17 (21) stables for horses
- 18 (22) stadiums
- 19 (23) tattoo parlors
- 20 (24) taxidermist shops
- 21 (25) tobacco, hookah, and vaping shops
- 22 (26) video lottery facilities

23 **SECTION 5. AND BE IT FURTHER ORDAINED,** That unless otherwise permitted in Section 4
24 above, all uses permitted, accessory, and conditional uses as allowed in the M-3 Zoning District
25 are prohibited within the Planned Unit Development.

26 **SECTION 6. AND BE IT FURTHER ORDAINED,** That all plans for the construction of permanent
27 improvements on the property are subject to final design approval by the Planning Commission
28 to insure that the plans are consistent with the Development Plan and this Ordinance.

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1 **SECTION 7. AND BE IT FURTHER ORDAINED**, That the Planning Department may determine
2 what constitutes minor or major modifications of the Plan. Minor modifications require approval
3 by the Planning Commission. Major modifications require approval by Ordinance.

4 **SECTION 8. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
5 accompanying Development Plan and in order to give notice to the agencies that administer the
6 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
7 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
8 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
9 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
10 Appeals, the Planning Commission, the Commissioner of Housing and Community
11 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

12 **SECTION 9. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
13 after the date it is enacted.