

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 07-0703

Introduced by: Councilmembers Holton, Reisinger, D’Adamo, Welch
At the request of: St. Agnes Healthcare, Inc.
Address: c/o Michael Davis, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson,
Maryland 21204
Telephone: 410-494-6284
Introduced and read first time: June 4, 2007
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 29, 2007

AN ORDINANCE CONCERNING

Planned Unit Development – Saint Agnes Hospital

FOR the purpose of repealing the existing Development Plan for Saint Agnes Hospital and approving a new Development Plan for the Saint Agnes Hospital Planned Unit Development.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 86-733, the Mayor and City Council authorized and established a Planned Unit Development for a portion of the Saint Agnes Hospital campus, which is located south of Wilkins Avenue and west of Caton Avenue.

St. Agnes Healthcare, Inc., wishes to rescind Ordinance 86-733 and replace the existing Development Plan with a new one that will establish a Planned Unit Development that incorporates the entire Saint Agnes Hospital campus, which comprises 34.146 acres.

On May 7, 2007, representatives of St. Agnes Healthcare, Inc., met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed new Development Plan.

The representatives of St. Agnes Healthcare, Inc., have now applied to the Baltimore City Council for approval of the replacement Planned Unit Development, which is intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
2 Ordinance 86-733 is repealed.

3 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
4 replacement of the Planned Unit Development and approves the new Development Plan
5 submitted by St. Agnes Healthcare, Inc., parent company of St. Agnes Hospital, the fee simple
6 owner of the property located south of Wilkens Avenue and west of Caton Avenue, consisting of
7 34.146 acres, more or less, as outlined on the accompanying Development Plan entitled “St.
8 Agnes Hospital CRP Master Plan” consisting of Sheet 1, “Existing Conditions,” Sheet 2,
9 “Development Plan - Site,” Sheet 3, “~~Development Plan - Utilities,~~” Sheet 4, “~~Development~~
10 ~~Plan - Grading,~~” Sheet 5, “~~Landscape/ Forest Conservation Plan,~~” and Sheet 6,
11 “~~Landscape/Forest Conservation Details and Notes,~~” all dated May 7 Forest Conservation Plan”,
12 Sheet 4, “Landscape Plan”, Sheet 5, “Enlarged Landscape Plan”, Sheet 6, “Site Details”, and
13 Sheet 7, “Axonometric”, all dated July 24, 2007, to designate the properties a Residential
14 Planned Development under Title 9, Subtitles 1 and 2 of the Baltimore Zoning Code.

15 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
16 9, Subtitles 1 and 2, the following uses are allowed in the Planned Unit Development:

17 (a) all permitted, accessory, and conditional uses for the R-6 Zoning District set out in
18 §§4-901 through 4-904 of the Baltimore City Zoning Code, subject to the
19 requirements and provisions stated in those sections; ~~except that there shall not be a~~
20 ~~need for further public hearings for any particular use.~~

21 (b) additionally, the following uses are permitted within the PUD:

22 hospitals, medical offices, and related health and medical facilities.

23 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the maximum height of buildings on the
24 properties and floor area requirements shall be as set forth in the Development Plan.

25 **SECTION 5. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
26 permanent improvements on the property are subject to final design approval by the Planning
27 Commission to insure that the plans are consistent with the Development Plan and this
28 Ordinance.

29 **SECTION 6. AND BE IT FURTHER ORDAINED,** That before the Planning Commission
30 grants final design approval for the proposed new tower and Caton Garage, the Applicant shall
31 enter into a Traffic-Mitigation Agreement with the Department of Transportation for the purpose
32 of adding a southbound right turn lane on Caton Avenue at Wilkens Avenue. The agreement
33 shall require the Applicant to pay for fifty percent of the cost of these improvements, except as
34 otherwise determined by the Department of Transportation.

35 **SECTION 6 7. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
36 what constitutes a minor or major amendment or modification to the Development Plan. Minor
37 modifications require approval by the Planning Commission. Major modifications require
38 approval by Ordinance.

39 **SECTION 7 8. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
40 accompanying Development Plan and in order to give notice to the agencies that administer the
41 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the

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1 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
2 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
3 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
4 Appeals, the Planning Commission, the Commissioner of Housing and Community
5 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

6 **SECTION 8 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
7 day after the date it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City