# CITY OF BALTIMORE ORDINANCE \_\_\_\_\_ Council Bill 11-0763

Introduced by: Councilmember D'Adamo At the request of: FRP Hollander 95, LLC

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Introduced and read first time: August 15, 2011

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 24, 2011

#### AN ORDINANCE CONCERNING

1	Planned Unit Development – Designation – Hollander 95 Business Park	
2	For the purpose of approving the application of FRP Hollander 95, LLC, which is the owner of	
3	certain properties known as Block 6220, Lots 34, 35, 36, 37, 38, 39, 40, 41, and 42	
4	(collectively, the "Property"), to have the Property designated an Industrial Planned Unit	
5	Development; and approving the Development Plan submitted by the applicant.	
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	FRP Hollander 95, LLC (the "applicant"), is the owner of Block 6220, Lots 34, 35, 36, 37,	
13	38, 39, 40, 41, and 42, consisting of 43.456 acres, more or less.	
14	The applicant proposes to develop the Property for business and industrial uses.	
15	On July 12, 2011, representatives of the applicant met with the Department of Planning for a	
16	preliminary conference, to explain the scope and nature of existing and proposed development on	
17	the Property and to institute proceedings to have the Property designated an Industrial Planned	
18	Unit Development.	
19	The representatives of the applicant have now applied to the Baltimore City Council for	
20	designation of the Property as an Industrial Planned Unit Development, and they have submitted	
21	a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the	
22	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 2 3 4 5 6 7 8 9	Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Mayor and City Council approves the application of FRP Hollander 95, LLC, which is the owner of certain properties known as Block 6220, Lots 34, 35, 36, 37, 38, 39, 40, 41, and 42, consisting of 43.456 acres, more or less, as outlined on the accompanying Development Plan entitled "Hollander 95 Business Park", consisting of Sheet 1, "Existing Conditions Plan", dated August 8, 2011, Sheet 2, "Master Plan", dated August 8, 2011, and Sheet 3, "Illustrative Conceptual Build Out Plans", dated August 8 September 16, 2011, and Sheet 2, "Illustrative Conceptual Master Plans", dated September 16, 2011, to designate the Property an Industrial Planned Unit Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.		
10 11	<b>SECTION 2. AND BE IT FURTHER ORDAINED</b> , That the Development Plan submitted by the applicant is approved.		
12 13 14	, , ,		
15	(1) all permitted, accessory, and conditional uses as allowed in the M-1 Zoning District		
16	(2) other storage uses as permitted under § 7-406(82) of the Zoning Code		
17	(3) arts - industrial		
18	(4) banquet hall		
19	(5) broadcasting station (TV or radio)		
20	(6) daycare center, adult or child		
21	(7) drive-through facility		
22	(8) community based alternative energy		
23	(9) financial institution		
24	(10) medical/dental clinic		
25	(11) office		
26	(12) personal services establishment		
27	(13) restaurant		
28	(14) retail goods establishment - no alcohol sales.		
29 30	<b>SECTION 4. AND BE IT FURTHER ORDAINED</b> , That the following additional use is permitted only in Area C on Lots 35 and 36:		
31	(1) hotel/motel.		

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1 2	<b>SECTION 5. AND BE IT FURTHER ORDAINED</b> , That the following use is prohibited within the Planned Unit Development:
3	(1) dwellings.
4 5 6 7 8	<b>SECTION 6. AND BE IT FURTHER ORDAINED</b> , That when reviewing plans for final design approval, the Planning Commission may take into consideration proposed uses that have different peak parking characteristics that complement each other, so that the parking spaces provided may reasonably be shared by proposed uses, and an excess of parking is not provided by strict cumulation of the parking requirements of the Zoning Code.
9 10 11 12	<b>SECTION 7. AND BE IT FURTHER ORDAINED</b> , That all plans for the construction of permanent improvements on the Property within the PUD must be reviewed by the Planning Commission and are subject to final design approval by the Planning Commission to insure that the plans are consistent with the Development Plan and this Ordinance.
13 14 15	<b>SECTION 8. AND BE IT FURTHER ORDAINED</b> , That the Planning Commission may determine what constitutes minor or major modifications of the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.
16 17 18 19 20 21 22 23	SECTION 9. 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 10. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the  $30^{th}$  day after the date it is enacted.

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Certified as duly passed this day of	, 20
	President, Baltimore City Council
Certified as duly delivered to Her Honor, the Mayo	r,
this, 20	
	Chief Clerk
Approved this day of, 20	_
	Mayor, Baltimore City