

**CITY OF BALTIMORE
COUNCIL BILL 06-0512
(First Reader)**

Introduced by: Councilmembers Kraft, D'Adamo

At the request of: Natty Boh, LLC

Address: c/o Jon Laria, Esquire, Ballard Spahr Andrews & Ingersoll, LLP, 300 East Lombard
Street, 18th Floor, Baltimore, Maryland 21202

Telephone: 410-528-5506

Introduced and read first time: September 18, 2006

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 – Amendment – Brewers Hill**

3 FOR the purpose of approving a certain amendment to the Development Plan of the Brewers Hill
4 Planned Unit Development; and providing for a special effective date.

5 BY authority of

6 Article - Zoning

7 Title 9, Subtitles 1 and 4

8 Baltimore City Revised Code

9 (Edition 2000)

10 **Recitals**

11 By Ordinance 06-250, the Mayor and City Council approved the application of Natty Boh,
12 LLC, to create a Planned Unit Development for Brewers Hill by repealing Ordinance 00-128 and
13 replacing the previous Planned Unit Development and accompanying Development Plan.

14 Natty Boh, LLC, wishes to amend the Development Plan, as previously approved by the
15 Mayor and City Council, to amend the development sub-limits in Area 6 of the Planned Unit
16 Development, and the adjustment of the Area 6 sub-limits does not increase the overall square
17 footage or unit limits within the Planned Unit Development.

18 On September 12, 2006, representatives of Natty Boh, LLC, met with the Department of
19 Planning for a preliminary conference to explain the scope and nature of the proposed
20 amendments to the Development Plan.

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

Council Bill 06-0512

1 The representatives of Natty Boh, LLC, have now applied to the Baltimore City Council for
2 approval of these amendments, and they have submitted amendments to the Development Plan
3 intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning
4 Code.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
6 Section 3(e) is amended to read as follows:

7 SECTION 3. AND BE IT FURTHER ORDAINED, That the maximum square footage
8 for all buildings and uses in the Planned Unit Development is 1,982,250 square
9 feet, that the maximum square footage for retail uses in the Planned Unit
10 Development is 600,000 square feet, that the maximum square footage for office
11 uses in the Planned Unit Development is 1,982,250 square feet, and that the
12 maximum number of residential units in the Planned Unit Development is 1,070
13 (or 1,126 when the rezoning described in Section 3(a) below is implemented),
14 with further sub-limits and requirements as follows (all references to Areas are as
15 labeled on the Development Plan):

16 (e) in Area 6, a maximum of [80] 185 residential units and
17 [122,665] 240,000 square feet, a maximum building height (as
18 currently defined in the Zoning Code of Baltimore City) of 45
19 feet measured at the northeast corner of each building that is
20 constructed within the Area;

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
22 amendment to the Development Plan submitted by the Developer.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
24 permanent improvements on the property are subject to final design approval by the Planning
25 Commission to insure that the plans are consistent with the Development Plan and this
26 Ordinance.

27 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
28 what constitutes minor or major modifications to the Plan. Minor modifications require approval
29 by the Planning Commission. Major modifications require approval by Ordinance.

30 **SECTION 5. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
31 accompanying amended Development Plan and in order to give notice to the agencies that
32 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
33 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
34 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
35 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
36 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
37 Commissioner of Housing and Community Development, the Supervisor of Assessments for
38 Baltimore City, and the Zoning Administrator.

39 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it
40 is enacted.