# CITY OF BALTIMORE ORDINANCE \_\_\_\_\_\_ Council Bill 08-0258

Introduced by: Councilmember Spector

At the request of: Heather Ridge Condominium Council, Inc., and Kol Torah of Baltimore Address: c/o AB Associates, 1 South Calvert Street #1150, Baltimore, Maryland 21202

Telephone: 410-547-6900

Introduced and read first time: December 4, 2008 Assigned to: Land Use and Transportation Committee

Committee Report: Favorable Council action: Adopted

Read second time: March 16, 2009

#### AN ORDINANCE CONCERNING

### Planned Unit Development – Amendment – Benhurst Park

- For the purpose of approving certain amendments to the Development Plan of the Benhurst Park Planned Unit Development.
- 4 By authority of

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- 5 Article Zoning
- 6 Title 9, Subtitles 1 and 2
- 7 Baltimore City Revised Code
- 8 (Edition 2000)

9 Recitals

By Ordinance 73-417, as last amended by Ordinance 07-384, the Mayor and City Council (i) approved the original application of Carl M. Freeman Associates, Inc., and Ralph DeChiaro Enterprises, Inc., to have certain property located on the south side of Fallstaff Road, north and east of Bartol Avenue, north and south of Benhurst Park and east of Clarks Lane, consisting of 50 acres, more or less, designated as a Residential Planned Unit Development and (ii) approved the Development Plan submitted by the applicant.

Heather Ridge Condominium Council, Inc., and Kol Torah of Baltimore wish to amend the Development Plan, as previously approved by the Mayor and City Council, to permit the development of a synagogue on a 2.21 acre parcel at 2929 Fallstaff Road for the Kol Torah of Baltimore congregation.

On November 24, 2008, representatives of Kol Torah of Baltimore met with the Department of Planning for a preliminary conference to explain the scope and nature of the proposed amendments to the Development Plan.

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	The representatives of Heather Ridge Condominium Council, Inc., and Kol Torah of Baltimore have now applied to the Baltimore City Council for approval of these amendments, and they have submitted amendments to the Development Plan intended to satisfy the
4	requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.
4	requirements of Title 9, Subtities 1 and 2 of the Battimore City Zonning Code.
5	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
6	Mayor and City Council approves the amendments to the Development Plan submitted by the
7	Developer, as attached to and made part of this Ordinance, including Sheet 1, "Overall PUD
8	Plan", dated November 12, 2008, Sheet 2, "Existing Conditions Plan", dated November 12,
9	2008, Sheet 3, "Site Plan", dated November 12, 2008, Sheet 4, "Landscape Plan", dated
10	November 12, 2008, Sheet 5, "Forest Conservation/Forest Stand Delineation Plan", dated
11	November 12, 2008, Sheet 6, "Front and Left Elevations", dated November 12, 2008, and Sheet
12	7, "Rear and Right Elevations", dated November 12, 2008.
13	SECTION 2. AND BE IT FURTHER ORDAINED, That all plans for the construction of
14	permanent improvements on the property are subject to final design approval by the Planning
15	Commission to insure that the plans are consistent with the Development Plan and this
16	Ordinance.
17	SECTION 3. AND BE IT FURTHER ORDAINED, That the Planning Department may determine
18	what constitutes minor or major modifications to the Plan. Minor modifications require approval
19	by the Planning Commission. Major modifications require approval by Ordinance.
20	SECTION 4. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
21	accompanying amended Development Plan and in order to give notice to the agencies that
22	administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
23	President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
24	approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
25	Director of Finance then shall transmit a copy of this Ordinance and the amended Development
26	Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
27	Commissioner of Housing and Community Development, the Supervisor of Assessments for
28	Baltimore City, and the Zoning Administrator.
29	SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30 <sup>th</sup> 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 H	er Honor, the Mayor	· ,
this day of	, 20	
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		Chief Clerk
Approved this day of	, 20	_
	-	Mayor, Baltimore City