

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 08-0017

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: January 28, 2008
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 28, 2008

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment 2 – Harbor Point

FOR the purpose of approving certain amendments to the Development Plan of the Harbor Point Planned Unit Development.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 4
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 04-682, as amended by Ordinance 07-625, the Mayor and City Council approved the application of Harbor Point Development, LLC, authorized by Honeywell International, Inc., to have certain property bounded generally by the Baltimore Harbor to the south and west, the Living Classroom's site to the north, and Caroline Street to the east, consisting of 26.8 acres, more or less, designated as a Business Planned Unit Development and approved the Development Plan submitted by the applicant.

The Black Olive Development Company, LLC, and Harbor Point Development, LLC, wish to amend the Development Plan, as previously approved by the Mayor and City Council, to enlarge the boundary of the Business Planned Unit Development by incorporating the property known as 803 South Caroline Street (Block 1818, Lot 55) within it, and the Department of Planning wishes to make a technical correction to the square footage for the gross building area for all parcels within the PUD area, exclusive of certain structures, as specified in Ordinance 04-682 and wishes to clarify certain provisions pertaining to off-street parking.

On January 8, 2008, the owner of 803 South Caroline Street 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 The applicant has now applied to the Baltimore City Council for approval of this amendment
2 and has submitted an amendment to the Development Plan intended to satisfy the requirements
3 of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
5 Mayor and City Council approves the amendment to the Development Plan submitted by the
6 applicant, as attached to and made part of this Ordinance, including PUD 1 “Title Sheet”, dated
7 ~~January 22~~ February 21, 2008, PUD 2 “Existing Conditions”, dated ~~January 22~~ February 21,
8 2008, PUD 3 “Land-Use Plan, dated ~~January 22~~ February 21, 2008, PUD 4 “Height Diagram”,
9 dated ~~January 22~~ February 21, 2008, and PUD 5 “Illustrative Site Plan”, dated ~~January 22~~
10 February 21, 2008. As shown on Exhibits PUD 1, PUD 2, PUD 3, PUD 4, and PUD 5, the
11 eastern boundary of the Planned Unit Development has been enlarged by incorporating the
12 property known as 803 South Caroline Street (Block 1818, Lot 55) within it, thereby increasing
13 the area of the Planned Unit Development to approximately 26.9 acres.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the first paragraph of Section 6 of
15 Ordinance 04-682 is amended to read as follows:

16 SECTION 6. AND BE IT FURTHER ORDAINED, That the gross building area for
17 all parcels within the PUD area will be [1.8] 1.82 million square feet, exclusive of
18 the following structures, which shall not be counted towards the gross building
19 area set forth herein:

20 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Section 7 of Ordinance 04-682, as
21 amended by Ordinance 07-625, is amended to read as follows:

22 SECTION 7. AND BE IT FURTHER ORDAINED, That:

23 (1) FOR EACH RESPECTIVE USE WITHIN THE PUD AREA EXCEPT FOR
24 ANY USE(S) ON PARCEL 6, ~~the parking required for each~~
25 ~~respective use within the PUD area~~ shall be provided in
26 accordance with the requirements of Title 10 of the Baltimore
27 City Zoning Code, as applicable to uses located in a B-2-2
28 Zoning District. The parking shall be accommodated by
29 surface lots and/or structured off-street facilities located within
30 the PUD area, and the parking shall not be required on a lot by
31 lot basis but shall merely need to be provided within the
32 boundaries of the PUD. Temporary parking shall be allowed
33 on individual building sites, subject to Planning Commission
34 approval. The Planning Commission has the discretion to
35 permit the total count of parking spaces required for all uses
36 within any one development lot or among multiple
37 development lots on the property to be reduced to reflect a
38 demonstrated reduction in the need for parking spaces due to
39 shared use, public transportation, or other appropriate causes.
40 Notwithstanding anything herein to the contrary, open off-
41 street parking shall be permitted on the Open Space areas at
42 any time prior to the completed development of the Open
43 Space in accordance with the provisions of Section 9(6). After
44 final completion of the Open Space, permanent or temporary
45 parking shall not BE allowed on the Open Space areas, except

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1 in conjunction with the special event uses set forth in Section
2 4.

3 (2) NOTWITHSTANDING THE FOREGOING, FOR EACH RESPECTIVE USE
4 ON PARCEL 6, PARKING SHALL BE PROVIDED IN ACCORDANCE WITH
5 THE REQUIREMENTS OF TITLE 10 OF THE BALTIMORE CITY ZONING
6 CODE, AS APPLICABLE TO USES LOCATED IN A B-1-1 ZONING
7 DISTRICT. THE PARKING FOR ANY USE(S) ON PARCEL 6 SHALL BE
8 ACCOMMODATED AND PROVIDED BY AGREEMENT IN AN ADJACENT
9 CITY-OWNED GARAGE.

10 **SECTION 34. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
11 permanent improvements on the property are subject to final design approval by the Planning
12 Commission to insure that the plans are consistent with the Development Plan and this
13 Ordinance.

14 **SECTION 45. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
15 accompanying amended Development Plan and in order to give notice to the agencies that
16 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
17 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
18 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
19 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
20 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
21 Commissioner of Housing and Community Development, the Supervisor of Assessments for
22 Baltimore City, and the Zoning Administrator.

23 **SECTION 56. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
24 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 Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City