

**CITY OF BALTIMORE  
COUNCIL BILL 07-0587  
(First Reader)**

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Introduced by: Councilmember Kraft

At the request of: South Broadway Properties, LLC

Address: c/o Stanley S. Fine, Esquire, Rosenberg Martin Greenberg, LLP, 25 South Charles Street, Suite 2115, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: February 12, 2007

Assigned to: Land Use and Transportation Committee

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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

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Marketplace at Fells Point**

3 FOR the purpose of approving the application of South Broadway Properties, LLC, owner of 600,  
4 606, 610, 616, 622, 607, 609, 611, 617, 619, 621, 623, 625, and 627 South Broadway, 611,  
5 613, 615, 617, 619, 621, and 623 South Bethel Street, 1621, 1625-1631, and 1641 Fleet  
6 Street, and 608 and 614 South Regester Street; John E. Demirjian, the owner of 602 South  
7 Broadway; and the Mayor and City Council of Baltimore, the owner of 1640 and 1641  
8 Aliceanna Street and 1641 Lancaster Street (collectively the “Property”), to have that  
9 Property designated a Business Planned Unit Development; and approving the Development  
10 Plan submitted by the applicant.

11 BY authority of

12 Article - Zoning

13 Title 9, Subtitles 1 and 4

14 Baltimore City Revised Code

15 (Edition 2000)

16 **Recitals**

17 South Broadway Properties, LLC, is the owner of 600, 606, 610, 616, 622, 607, 609, 611,  
18 617, 619, 621, 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South  
19 Bethel Street, 1621, 1625-1631, and 1641 Fleet Street, and 608 and 614 South Regester Street.  
20 John E. Demirjian is the owner of 602 South Broadway. The Mayor and City Council of  
21 Baltimore owns 1640 and 1641 Aliceanna Street and 1641 Lancaster Street. South Broadway  
22 Properties, LLC, plans to develop the Property, consisting of 4.405 acres, more or less, for  
23 business and residential uses.

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

**Council Bill 07-0587**

1 On January 25, 2007, representatives of the applicant met with the Department of Planning  
2 for a preliminary conference, to explain the scope and nature of existing and proposed  
3 development on the Property and to institute proceedings to have the Property designated a  
4 Business Planned Unit Development.

5 The representatives of the applicant have now applied to the Baltimore City Council for  
6 designation of the Property as a Business Planned Unit Development, and they have submitted a  
7 Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the  
8 Baltimore City Zoning Code.

9 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
10 Mayor and City Council approves the application of South Broadway Properties, LLC, to  
11 designate the properties known as 600, 602, 606, 610, 616, 622, 607, 609, 611, 617, 619, 621,  
12 623, 625, and 627 South Broadway, 611, 613, 615, 617, 619, 621, and 623 South Bethel Street,  
13 1621, 1625-1631, and 1641 Fleet Street, 608 and 614 South Regester Street, 1640 and 1641  
14 Aliceanna Street, and 1641 Lancaster Street, consisting of 4.405 acres, more or less, as outlined  
15 on the accompanying Development Plan, as a Business Planned Unit Development under Title 9,  
16 Subtitles 1 and 4 of the Baltimore City Zoning Code.

17 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan entitled  
18 “Marketplace at Fells Point” submitted by the applicant, consisting of Sheet 1, “Existing  
19 Conditions”, dated January 30, 2007, Sheet 2, “Development Plan”, dated January 30, 2007, and  
20 Sheet 3, “Illustrative Streetscape Plan”, dated January 30, 2007, is approved.

21 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title  
22 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

23 (a) Except as provided in paragraph (c) below, all uses specified in §§ 6-306, 6-307, 6-  
24 308, and 6-309 of the Zoning Code of Baltimore City as permitted, accessory, or  
25 conditional uses in the B-2 Zoning District are specifically authorized as permitted,  
26 accessory, and conditional uses (subject to the requirements of Title 14 of the Zoning  
27 Code of Baltimore City - Conditional Uses), in the Planned Unit Development.

28 (b) The following additional uses are specifically permitted in the Planned Unit  
29 Development:

30 Open off-street parking areas, other than accessory, for the parking of 4 or more  
31 motor vehicles, are permitted in Subarea “B” only;  
32 Outdoor table service when accessory to a restaurant or any permitted use;  
33 Prepared food delivery services - including any operated as an accessory use by a  
34 restaurant.

35 (c) The following uses are prohibited as principal uses in the Planned Unit Development:

36 Amusement devices located within a shopping center of over 20,000 square feet  
37 or a commercial recreation center of over 20,000 square feet  
38 Check cashing  
39 Community correction centers  
40 Exterminator’s shops  
41 Firearms sales  
42 Fraternity and sorority houses

**Council Bill 07-0587**

1 Furrier shops - including accessory storage and conditioning of furs  
2 Parole and probation field offices  
3 Pawnshops  
4 Poultry - and rabbit-killing establishments  
5 Sewerage pumping station  
6 Taxidermist shops  
7 Travel trailers, recreational vehicles, and similar camping equipment:  
8 parking or storage  
9 Undertaking establishments and funeral parlors  
10 Union halls  
11 Water filtration plants, reservoirs, and pumping stations.

12 **SECTION 4. AND BE IT FURTHER ORDAINED**, That temporary Planned Unit Development  
13 signs, business signs, identification signs, free-standing signs, and parking garage access signs in  
14 excess of the permitted square footage are permitted within the Planned Unit Development,  
15 provided that the signs are subject to final design approval by the Planning Commission.

16 **SECTION 5. AND BE IT FURTHER ORDAINED**, That the requirements of Ordinance 06-345  
17 must be satisfied prior to the issuance of building permits for the construction of permanent  
18 improvements on the Property within the Planned Unit Development.

19 **SECTION 6. AND BE IT FURTHER ORDAINED**, That all plans for the construction of  
20 permanent improvements on the Property within the Planned Unit Development are subject to  
21 final design approval by the Planning Commission to insure that the plans are consistent with the  
22 Development Plan and this Ordinance.

23 **SECTION 7. AND BE IT FURTHER ORDAINED**, That the Planning Commission may determine  
24 what constitutes minor or major modifications to the Plan. Minor modifications require approval  
25 by the Planning Commission. Major modifications require approval by Ordinance.

26 **SECTION 8. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the  
27 accompanying Development Plan and in order to give notice to the agencies that administer the  
28 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the  
29 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the  
30 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a  
31 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning  
32 Appeals, the Planning Commission, the Commissioner of Housing and Community  
33 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

34 **SECTION 9. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
35 after the date it is enacted.