

**CITY OF BALTIMORE
COUNCIL BILL 11-0763
(First Reader)**

Introduced by: Councilmember D'Adamo

At the request of: FRP Hollander 95, 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: August 15, 2011

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, Department of General Services, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Commission on Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Hollander 95 Business Park**

3 FOR the purpose of approving the application of FRP Hollander 95, LLC, which is the owner of
4 certain properties known as Block 6220, Lots 34, 35, 36, 37, 38, 39, 40, 41, and 42
5 (collectively, the “Property”), to have the Property designated an Industrial Planned Unit
6 Development; and approving the Development Plan submitted by the applicant.

7 BY authority of

8 Article - Zoning

9 Title 9, Subtitles 1 and 5

10 Baltimore City Revised Code

11 (Edition 2000)

12 **Recitals**

13 FRP Hollander 95, LLC (the “applicant”), is the owner of Block 6220, Lots 34, 35, 36, 37,
14 38, 39, 40, 41, and 42, consisting of 43.456 acres, more or less.

15 The applicant proposes to develop the Property for business and industrial uses.

16 On July 12, 2011, representatives of the applicant met with the Department of Planning for a
17 preliminary conference, to explain the scope and nature of existing and proposed development
18 on the Property and to institute proceedings to have the Property designated an Industrial
19 Planned Unit Development.

20 The representatives of the applicant have now applied to the Baltimore City Council for
21 designation of the Property as an Industrial Planned Unit Development, and they have submitted

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

Council Bill 11-0763

1 a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the
2 Baltimore City Zoning Code.

3 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
4 Mayor and City Council approves the application of FRP Hollander 95, LLC, which is the owner
5 of certain properties known as Block 6220, Lots 34, 35, 36, 37, 38, 39, 40, 41, and 42, consisting
6 of 43.456 acres, more or less, as outlined on the accompanying Development Plan entitled
7 “Hollander 95 Business Park”, consisting of Sheet 1, “Existing Conditions Plan”, dated August
8 8, 2011, Sheet 2, “Master Plan”, dated August 8, 2011, and Sheet 3, “Illustrative Conceptual
9 Build Out Plans”, dated August 8, 2011, to designate the Property an Industrial Planned Unit
10 Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

11 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the
12 applicant is approved.

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
14 9, Subtitles 1 and 5, the following uses are permitted in all areas within the Planned Unit
15 Development:

- 16 (1) all permitted, accessory, and conditional uses as allowed in the M-1 Zoning District
- 17 (2) other storage uses as permitted under § 7-406(82) of the Zoning Code
- 18 (3) arts - industrial
- 19 (4) banquet hall
- 20 (5) broadcasting station (TV or radio)
- 21 (6) daycare center, adult or child
- 22 (7) drive-through facility
- 23 (8) community based alternative energy
- 24 (9) financial institution
- 25 (10) medical/dental clinic
- 26 (11) office
- 27 (12) personal services establishment
- 28 (13) restaurant
- 29 (14) retail goods establishment - no alcohol sales.

30 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the following additional use is permitted
31 only in Area C:

- 32 (1) hotel/motel.

Council Bill 11-0763

1 **SECTION 5. AND BE IT FURTHER ORDAINED**, That the following use is prohibited within the
2 Planned Unit Development:

3 (1) dwellings.

4 **SECTION 6. AND BE IT FURTHER ORDAINED**, That when reviewing plans for final design
5 approval, the Planning Commission may take into consideration proposed uses that have
6 different peak parking characteristics that complement each other, so that the parking spaces
7 provided may reasonably be shared by proposed uses, and an excess of parking is not provided
8 by strict cumulation of the parking requirements of the Zoning Code.

9 **SECTION 7. AND BE IT FURTHER ORDAINED**, That all plans for the construction of
10 permanent improvements on the Property within the PUD must be reviewed by the Planning
11 Commission and are subject to final design approval by the Planning Commission to insure that
12 the plans are consistent with the Development Plan and this Ordinance.

13 **SECTION 8. AND BE IT FURTHER ORDAINED**, That the Planning Commission may determine
14 what constitutes minor or major modifications of the Plan. Minor modifications require approval
15 by the Planning Commission. Major modifications require approval by Ordinance.

16 **SECTION 9. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
17 accompanying Development Plan and in order to give notice to the agencies that administer the
18 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
19 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
20 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
21 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
22 Appeals, the Planning Commission, the Commissioner of Housing and Community
23 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

24 **SECTION 10. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th
25 day after the date it is enacted.