

**CITY OF BALTIMORE
COUNCIL BILL 07-0809
(First Reader)**

Introduced by: Councilmember Reisinger

At the request of: Westport Development LLC, Inner Harbor West LLC, Inner Harbor West II LLC, and Turner Development Group Inc.

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Introduced and read first time: September 17, 2007

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 – Designation – Westport Waterfront**
3 **(2001, 2033, 2099, 2101-2121, 2201-2221-2301, and 2401-2417 Kloman Street)**

4 FOR the purpose of approving the application of Westport Development Group LLC, Inner
5 Harbor West LLC, Inner Harbor West II LLC, and Turner Development Group Inc., which
6 are the owners of 2001, 2033, 2099, 2101-2121, and 2201-2221-2301 Kloman Street and the
7 contract purchaser of 2401-2417 Kloman Street (collectively, the “Property”), to have the
8 Property designated a Business Planned Unit Development; and approving the Development
9 Plan submitted by the applicant.

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

15 **Recitals**

16 Inner Harbor West II is the owner of the properties known as 2001, 2033, 2099, and 2101-
17 2121 Kloman Street; Inner Harbor West LLC, is the owner of the property known as 2201-2221-
18 2301 Kloman Street; Turner Development Group Inc., is the contract purchaser of the property
19 known as 2401-2417 Kloman Street, consisting of 71.94 acres more or less. Westport
20 Development LLC, plans to develop the Property for business and residential uses.

21 On April 25, 2007, representatives of the applicant met with the Department of Planning for
22 a preliminary conference, to explain the scope and nature of existing and proposed development

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

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1 on the property and to institute proceedings to have the property designated a Business Planned
2 Unit Development.

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

7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
8 Mayor and City Council approves the application of Westport Development LLC, to designate
9 the properties known as 2001, 2033, 2099, 2101, 2101-2121, 2201-2221-2301, and 2401-2417
10 Kloman Street, consisting of 71.94 acres, more or less, as outlined on the accompanying
11 Development Plan entitled “Westport Waterfront”, dated September 11, 2007, to designate the
12 property a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore
13 City Zoning Code.

14 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan entitled “Westport
15 Waterfront” submitted by the applicant, consisting of Sheet 1, “Existing Conditions Plan”, dated
16 September 11, 2007; Sheet 2, “Development Plan”, dated September 11, 2007; Sheet 3, “Area
17 Plan”, dated September 11, 2007; and Sheet 4, “Proposed Landscape Plan”, dated September 11,
18 2007, is approved.

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
20 9, Subtitles 1 and 4, the Planned Unit Development Ordinance shall be enacted as follows:

21 1. Uses.

22 A. The following uses are permitted within the Planned Unit Development:

23 (1) All permitted, accessory and conditional uses permitted in the B-2 Zoning
24 District, as set forth in §§ 6-306, 6-307, 6-308, and 6-309 of the Zoning Code;
25 and

26 (2) The following additional uses are specifically permitted in the Planned Unit
27 Development:

- 28 Artisans and craft work
- 29 Auditoriums and concert halls
- 30 Banquet halls
- 31 Heliports (in Area IV and V as designated on the Development Plan)
- 32 Laboratories: research and testing
- 33 Microwave antennas (satellite dishes)
- 34 Motor vehicles: rental
- 35 Outdoor table service accessory to a restaurant
- 36 Prepared food delivery service including operations accessory to a restaurant
- 37 Recreational boat launch/tie up (in Area IV as designated on the Development
38 Plan)
- 39 Restaurants – including live entertainment and dancing (in portions of
40 buildings within Area III with frontage along either Wenburn Street or the
41 waterfront, Area IV, and V, as designated on the Development Plan)
- 42 Schools: commercial

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1 Schools: trade
2 Schools and studios: business, dance, and music
3 Taverns – including live entertainment and dancing (in portions of buildings
4 within Area III with frontage along either Wenburn Street or the
5 waterfront, Area IV, and V, as designated on the Development Plan)
6 Theatres.

7 B. The following uses are prohibited within the Planned Unit Development:

8 (1) Automobile accessory stores – including related repair and installation
9 services;

10 (2) Garages, other than accessory, for storage, repair and servicing of motor
11 vehicles not over 1 ½ tons capacity;

12 (3) Gasoline service stations; and

13 (4) Parking, open off-street areas, for the parking of 4 or more motor vehicles.

14 2. Floor Area Ratio and Density.

15 A. The maximum net leasable area within the Planned Unit Development may not
16 exceed 5,500,000 square feet.

17 B. The maximum density within the Planned Unit Development may not exceed
18 2,000 dwelling units.

19 3. Parking.

20 That the number of parking spaces required for each development parcel shall be
21 determined by the Planning Commission at the time of final design approval, at
22 which time the Planning Commission shall take into consideration proposed uses that
23 have different peak parking characteristics that complement each other, so that the
24 parking spaces provided may reasonably be shared by proposed uses, and an excess
25 of parking is not provided by strict cumulation of standard parking requirements.

26 4. Traffic Mitigation.

27 That prior to the issuance of building permits for a particular building parcel with the
28 Planned Unit Development, the requirements of Ordinance 06-345 as they pertain to
29 that particular building parcel or to the amount of density proposed on final design
30 plans approved by the Planning Commission, must be satisfied.

31 5. Signage.

32 That exterior signage within the Planned Unit Development shall be subject to final
33 design review and approval by the Planning Commission and shall not be limited by
34 the provisions of Title 11 of the Zoning Code.

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1 6. Massing.

2 That the maximum building heights shall be as set forth on the Development Plan and
3 approved by the Planning Commission.

4 **SECTION 4. AND BE IT FURTHER ORDAINED**, That all plans for the construction of
5 permanent improvements on the property are subject to final design approval by the Planning
6 Commission to insure that the plans are consistent with the Development Plan and this
7 Ordinance.

8 **SECTION 5. AND BE IT FURTHER ORDAINED**, That the Planning Commission may determine
9 what constitutes minor or major modifications to the Plan. Minor modifications require approval
10 by the Planning Commission. Major modifications require approval by Ordinance.

11 **SECTION 6. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the
12 accompanying Development Plan and in order to give notice to the agencies that administer the
13 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
14 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
15 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
16 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
17 Appeals, the Planning Commission, the Commissioner of Housing and Community
18 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

19 **SECTION 7. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th day
20 after the date it is enacted.