

ENROLLED

**CITY OF BALTIMORE
ORDINANCE ____
Council Bill 07-0764**

Introduced by: Councilmember Kraft
At the request of: Harbor Point Development, LLC
Address: c/o Lawrence White, Struever Bros. Eccles & Rouse, 1040 Hull Street, Baltimore,
Maryland 21230
Telephone: 443-573-4000
Introduced and read first time: August 13, 2007
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 29, 2007

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – 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, 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.

Harbor Point Development, LLC, wishes to amend the Development Plan, as previously
approved by the Mayor and City Council, to modify the allowable height of certain structures
within the Planned Unit Development area, to clarify certain provisions pertaining to off-street
parking, and to make other amendments or modifications as necessary to accommodate the
proposed conditions on the Property.

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.
Underlined italics indicate matter added to the bill
by amendment after printing for third reading.

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1 On July 16, 2007, representatives of Harbor Point Development, LLC, met with the
2 Department of Planning for a preliminary conference to explain the scope and nature of the
3 proposed amendments to the Development Plan.

4 The representatives of Harbor Point Development, LLC, have now applied to the Baltimore
5 City Council for approval of these amendments, and they have submitted amendments to the
6 Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the
7 Baltimore City Zoning Code.

8 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
9 Mayor and City Council approves the amendments to the Development Plan for the Property
10 submitted by Harbor Point Development, LLC, as attached to and made part of this Ordinance,
11 consisting of PUD 4, “Heights Diagram,” dated July 19, 2007, which shall supersede PUD 4,
12 “Height Diagram”, dated April 2, 2004, of Ordinance 04-682.

13 ~~SECTION 2. AND BE IT FURTHER ORDAINED,~~ That Section 7 of Ordinance 04-682 is
14 amended to read as follows:

15 ~~SECTION 7. AND BE IT FURTHER ORDAINED,~~ That the parking required for each
16 respective use within the PUD area shall be provided in accordance with the
17 requirements of Title 10 of the Baltimore City Zoning Code, as applicable to uses
18 located in a B-2-2 Zoning District. The parking shall be accommodated by
19 surface lots and/or structured off-street facilities located within the PUD area, and
20 the parking shall not be required on a lot by lot basis but shall merely need to be
21 provided within the boundaries of the PUD. Temporary parking shall be allowed
22 on individual building sites, subject to Planning Commission approval. The
23 Planning Commission has the discretion to permit the total count of parking
24 spaces required for all uses within any one development lot or among multiple
25 development lots on the property to be reduced to reflect a demonstrated
26 reduction in the need for parking spaces due to shared use, public transportation,
27 or other appropriate causes. ~~NOT WITHSTANDING ANYTHING HEREIN TO THE~~
28 ~~CONTRARY, OPEN OFF-STREET PARKING SHALL BE PERMITTED ON THE OPEN SPACE~~
29 ~~AREAS AT ANY TIME PRIOR TO THE COMPLETED DEVELOPMENT OF THE OPEN SPACE~~
30 ~~IN ACCORDANCE WITH THE PROVISIONS OF SECTION 9(6). AFTER FINAL~~
31 ~~COMPLETION OF THE OPEN SPACE, [Permanent] PERMANENT or temporary parking~~
32 ~~[is] SHALL not be allowed on the Open Space areas, except in conjunction with~~
33 the special event uses set forth in Section 4:

34 ~~SECTION 3. AND BE IT FURTHER ORDAINED,~~ That Section 9(3) of Ordinance 04-682 is
35 deleted in its entirety:

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4 development lots on the property to be reduced to reflect a demonstrated
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7 CONTRARY, OPEN OFF-STREET PARKING SHALL BE PERMITTED ON THE OPEN SPACE
8 AREAS AT ANY TIME PRIOR TO THE COMPLETED DEVELOPMENT OF THE OPEN SPACE IN
9 ACCORDANCE WITH THE PROVISIONS OF SECTION 9(6). AFTER FINAL COMPLETION OF
10 THE OPEN SPACE, [Permanent] PERMANENT or temporary parking [is] SHALL not
11 BE allowed on the Open Space areas, except in conjunction with the special event
12 uses set forth in Section 4.

13 SECTION 3. AND BE IT FURTHER ORDAINED, That Section 9(3) of Ordinance 04-682 is
14 deleted in its entirety.

15 **SECTION 4 ~~2~~ 4. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
16 permanent improvements on the property are subject to final design approval by the Planning
17 Commission to insure that the plans are consistent with the Development Plan and this
18 Ordinance.

19 **SECTION 3 5. AND BE IT FURTHER ORDAINED,** That before any building permit may
20 be issued for any part of the Planned Unit Development, the applicant must comply with the
21 requirements of Zoning Code § 2-305 and Building Code § 105.3.2 (as enacted by Ordinance 06-
22 354 and notwithstanding Section 2 of that Ordinance) for a traffic-impact study of the overall
23 Development and for the mitigation of adverse traffic impacts.

24 **SECTION 5 4 6. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
25 accompanying amended Development Plan and in order to give notice to the agencies that
26 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
27 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
28 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
29 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
30 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
31 Commissioner of Housing and Community Development, the Supervisor of Assessments for
32 Baltimore City, and the Zoning Administrator.

33 **SECTION 6 5 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
34 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