

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

February 4, 2016

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 15-0600 – Planned Unit Development – Amendment 2 –
Greektown Redevelopment

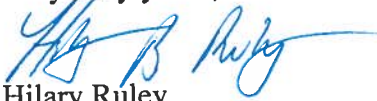
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 15-0600 for form and legal sufficiency. The bill would amend the existing Development Plan for the Greektown Redevelopment Planned Unit Development (“PUD”), to allow for certain dwellings in Section B of the PUD. Although dwellings would have been generally permitted in Section B of this residential PUD because they are allowed in O-R, B-1 and B-2 districts, the PUD language originally excluded them. Baltimore City Zoning Code (“ZC”), §9-204. Reinstating dwellings as a permissible use is in accordance with Title 9 of the Zoning Code concerning PUDs. *Id.*

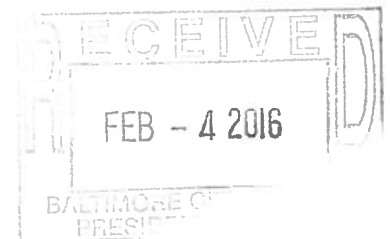
Although the Planning Department staff did not recommend this change because of the proximity of the parcels to adjacent M-3 zoning, the Planning Commission disagreed and found that the change to the PUD was desirable. ZC §9-112. This bill is the appropriate mechanism for the Mayor and City Council to approve the change in the PUD if it wishes to do so. ZC §§9-110 – 9-113.

The amendment of a PUD is classified as a “legislative authorization” requiring certain procedures. ZC §§16-101(c)(3); 16-101(d). Notice requirements apply to the introduction of the bill, including posting the property for 30 days within one week of the notice of introduction. *See* ZC §16-203. The bill must be referred to certain City agencies, which are obligated to review the bill in a specified manner. *See* ZC §§16-301–16-303. Additional public notice and hearing requirements also apply to the bill, including advertising the time, place and subject of the hearing in a paper of general circulation for 15 days and posting the property conspicuously with this same information. *See* Md. Code, Land Use, §10-303; ZC §16-402. Finally, certain limitations on the City Council’s ability to amend the bill apply, including a Third Reading hold-over before final passage by the Council. *See* ZC §§16-403, 16-404. Assuming all the procedural requirements are met, the Law Department will approve the bill for form and legal sufficiency.

Very truly yours,


Hilary Ruley
Chief Solicitor

Fav w/
Comm



cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor, General Counsel Division
Victor Tervalá, Chief Solicitor
Jennifer Landis, Assistant Solicitor