

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 16-0750

Introduced by: Councilmember Spector
At the request of: Washingtonville Limited Partnership
Address: c/o Samuel K. Himmelrich, Jr., 1340 Smith Avenue, Himmelrich Associates, Suite
200, Baltimore, Maryland 21209
Telephone: 410-779-1206
Introduced and read first time: September 12, 2016
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 20, 2016

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment – Mt. Washington Mill

FOR the purpose of approving certain amendments to the Development Plan of the Mt.
Washington Mill Planned Unit Development.

BY authority of
Article - Zoning
Title 9, Subtitles 1 and 5
Baltimore City Revised Code
(Edition 2000)

Recitals

By Ordinance 08-97, the Mayor and City Council (i) approved the application of
Washingtonville Limited Partnership to have certain property located at 1330-1340 Smith
Avenue and a portion of Lot 2 of Ward 27, Section 15, Block 4660, consisting of 6.0906 acres,
more or less, designated as an Industrial Planned Unit Development and (ii) approved the
Development Plan submitted by the applicant.

The applicant wishes to amend the Development Plan, as previously approved by the Mayor
and City Council, to permit additional uses in the Planned Unit Development.

On August 25, 2016, representatives of the applicant met with the Department of Planning
for a preliminary conference to explain the scope and nature of the proposed amendments to the
Development Plan.

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.

Council Bill 16-0750

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

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
6 Mayor and City Council approves the amendments to the Development Plan submitted by the
7 Developer, as attached to and made part of this Ordinance, including Sheet 3, "Development Plan
8 - General", dated August 25, 2016.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That Section 4(b) of Ordinance 08-97 is
10 amended to read as follows:

11 SECTION 4. AND BE IT FURTHER ORDAINED, That in accordance with Title 9,
12 Subtitles 1 and 5 of the Baltimore City Zoning Code, the following uses are
13 permitted within the Planned Unit Development:

14

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

- 17 Bakeries - including the sale of bakery products to
- 18 restaurants, clubs, and similar establishments; 1
- 19 BANQUET HALL AND CATERING ESTABLISHMENT:
- 20 FOOD; open off-street parking areas, other than
- 21 accessory, for the parking of 4 or more motor
- 22 vehicles; outdoor table service when accessory to a
- 23 restaurant or any permitted use; schools:
- 24 commercial and trade.

25

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That new Section 7 is added to Ordinance 08-
27 97 to read as follows:

28 SECTION 7. AND BE IT FURTHER ORDAINED, THAT PRIOR TO THE ISSUANCE OF
29 OCCUPANCY PERMITS FOR BUILDINGS IN A FLOODPLAIN, A FLOOD HAZARD
30 MITIGATION PLAN MUST BE APPROVED BY THE DEPARTMENT OF PLANNING. THIS
31 FLOOD HAZARD MITIGATION PLAN WILL INCLUDE, BUT NOT BE LIMITED TO:
32 MANDATORY INTERIOR AND EXTERIOR SIGNAGE, AN OPERATIONS AND
33 NOTIFICATION PLAN, AN EVACUATION PLAN, AND OTHER ELEMENTS AS REQUIRED
34 BY THE BALTIMORE CITY FLOODPLAIN MANAGEMENT PROGRAM.

35 **SECTION 3 4. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
36 permanent improvements on the property are subject to final design approval by the Planning
37 Commission to insure that the plans are consistent with the Development Plan and this
38 Ordinance.

39 **SECTION 4 5. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
40 accompanying amended Development Plan and in order to give notice to the agencies that
41 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
42 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor

Council Bill 16-0750

1 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
2 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
3 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
4 Commissioner of Housing and Community Development, the Supervisor of Assessments for
5 Baltimore City, and the Zoning Administrator.

6 **SECTION 5 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
7 day after the date it is enacted.

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