

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 06-0451

Introduced by: Councilmember Reisinger
At the request of: Chesapeake Paperboard Centre, LLC, and Key Woodall, LLC
Address: c/o Stanley S. Fine, Esquire, 25 South Charles Street, Suite 2115, Baltimore,
Maryland 21201
Telephone: 410-727-6600
Introduced and read first time: June 5, 2006
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: April 23, 2007

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Chesapeake Paperboard

FOR the purpose of approving the application of ~~Key Woodall~~ Chesapeake Paperboard Centre, LLC, which is the owner ~~or contract purchaser and developer~~ of 1500 Woodall Street, 1605 Key Highway, ~~a portion of and~~ 1801 Key Highway, ~~and a portion of~~ 1215 East Fort Avenue (collectively, the “Property”) ~~and Chesapeake Paperboard Centre, LLC, which is the developer of the Property,~~ to have the Property designated a Business Planned Unit Development; and approving the Development Plan submitted by the applicant.

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

Recitals

~~Key Woodall~~ Chesapeake Paperboard Centre, LLC, is the owner ~~or contract purchaser~~ of the properties known as 1500 Woodall Street, 1605 Key Highway, ~~a portion of and~~ 1801 Key Highway, ~~and a portion of~~ 1215 East Fort Avenue, consisting of ~~9.4~~ 9.36 acres, more or less, and plans to develop the Property ~~with Chesapeake Paperboard, LLC,~~ for business and residential uses.

On May 30, 2006, representatives of the applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the Property and to institute proceedings to have the Property designated a Business Planned Unit Development.

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.

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

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
6 Mayor and City Council approves the application of ~~Key Highway, LLC, and Chesapeake~~
7 ~~Paperboard Centre, LLC,~~ to designate the properties known as 1500 Woodall Street, 1605 Key
8 Highway, ~~a portion of and~~ 1801 Key Highway, ~~and a portion of~~ 1215 East Fort Avenue,
9 consisting of ~~9.4~~ 9.36 acres, more or less, as outlined on the accompanying Development Plan
10 entitled “Chesapeake Paperboard”, consisting of Sheet 1, “Existing Conditions Plan”, dated ~~May~~
11 ~~31, 2006~~ February 1, 2007, Sheet 2, “Proposed Conditions Plan”, dated ~~May 31, 2006~~ February
12 1, 2007, Sheet 3, “Conceptual Landscape Plan”, dated ~~May 31, 2006~~ February 1, 2007, and
13 Sheet 4, “Conceptual Massing Plan”, dated ~~May 31, 2006~~ February 1, 2007, to designate the
14 Property a Business Planned Development under Title 9, Subtitles 1 and 4 of the Baltimore City
15 Zoning Code.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by ~~Key~~
17 ~~Highway, LLC, and Chesapeake Paperboard Centre, LLC,~~ is approved.

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
19 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

20 (a) Uses authorized in Business Districts.

21 Except as provided in paragraph (c) below, all uses specified in §§ 6-306, 6-307, 6-
22 308, and 6-309 of the Zoning Code of Baltimore City as permitted, accessory, or
23 conditional uses in the B-2 Zoning District are specifically authorized as permitted,
24 accessory, and conditional uses (subject to the requirements of Title 14 of the Zoning
25 Code of Baltimore City - Conditional Uses), in the Planned Unit Development.

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

28 Outdoor table service when accessory to a restaurant or any permitted use;
29 Prepared food delivery services - including any operated as an accessory use by a
30 restaurant

31 (c) The following uses are prohibited as principal uses in the Planned Unit Development:

32 Amusement devices ~~located within a shopping center of over 20,000 square feet~~
33 ~~or a commercial recreation center of over 20,000 square feet;~~
34 Apartment hotels;
35 Automobile accessory stores - including related repair and installation services;
36 Banquet halls;
37 Bingo halls: charitable
38 Bus and transit passenger ~~stations and terminals~~ turnarounds;
39 Check cashing agencies;
40 Clubs and lodges: private nonprofit;
41 Community correction centers;
42 Convalescent, nursing, and rest homes;

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1 Dance halls;
2 Drug stores and pharmacies: drive-in;
3 Dry cleaning establishments: drive-in;
4 Employment agencies;
5 Exterminator's shops;
6 Firearms sales;
7 Fraternity and sorority houses: off-campus;
8 Furrier shops - including accessory storage and conditioning of furs;
9 Garages, other than accessory, for storage, repair and serving of motor vehicles
10 not over 1½ tons capacity;
11 Helistops;
12 Homes for the rehabilitation of non-bedridden alcoholics and for the care and
13 custody of homeless persons;
14 Hospitals;
15 Hotels and motels;
16 Launderettes - no more than 4 employees plus 1 owner or manager on the
17 premises;
18 Laundries - no more than 4 employees plus 1 owner or manager on the premises;
19 Marinas: accessory;
20 Marinas: recreational;
21 Marinas: recreation boat launch/tie up;
22 ~~Meeting and banquet halls;~~
23 Newspaper distribution agencies; for home delivery and retail trade;
24 Parole and probation field offices;
25 Pawnshops;
26 Photographic printing and developing establishments - drive-in;
27 Pool halls and billiard parlors;
28 Poultry- and rabbit-killing establishments;
29 ~~Radio and television antennas that are free-standing or that extend more than 25~~
30 ~~feet above the building on which they are mounted - but not including~~
31 ~~microwave antennas (satellite dishes);~~
32 Restaurants - drive-in;
33 Rooming houses;
34 Schools: commercial;
35 Schools, elementary and secondary;
36 Sewerage pumping station;
37 ~~Substance abuse treatment centers;~~
38 Taverns;
39 Taxidermist shops;
40 Tobacco shops;
41 Travel trailers, recreational vehicles, and similar camping equipment: parking or
42 storage;
43 Undertaking establishments and funeral parlors;
44 Union halls; and
45 Water filtration plants, reservoirs, and pumping stations.

46 (d) The following use is permitted as a principal use in the Planned Unit Development,
47 subject to the following condition:

48 Liquor stores: package goods; with the condition that there be no more than 1.

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1 (e) Microwave antennas (satellite dishes) in the Planned Unit Development shall not
2 exceed 6 feet in diameter.

3 (f) No gambling is permitted in the Planned Unit Development.

4 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the maximum net leasable area within the
5 Planned Unit Development may not exceed the following limitations:

6 (a) The office square footage within the Planned Unit Development is limited to ~~35,000~~
7 50,000 square feet.

8 (b) The retail square footage (including restaurants) within the Planned Unit
9 Development is limited to 110,000 square feet.

10 (c) A maximum of 250 dwelling units is allowed within the Planned Unit Development.

11 **SECTION 5. AND BE IT FURTHER ORDAINED,** That the net leasable area for retail uses
12 allowed within the Planned Unit Development ~~may not exceed~~ must comply with the following
13 limitations:

14 The ~~minimum~~ net leasable area for any retail use may not be less than 1,000 square feet.
15 The ~~maximum~~ net leasable area for one retail use may not exceed 55,000 square feet.
16 The ~~maximum~~ net leasable area for each additional retail use may not exceed 13,000
17 square feet nor exceed 13,000 square feet, with the exception of 1 food store or grocery
18 use, which may occupy up to 55,000 square feet of net leasable area.

19 **SECTION 6. AND BE IT FURTHER ORDAINED,** That parking must be provided within
20 the Planned Unit Development in accordance with the following conditions:

21 (a) Parking must be provided to meet the following minimum requirements:

22 (1) 2 spaces per residential dwelling unit.

23 (2) 3 spaces per 1,000 square feet of office use.

24 (3) 1 space per 300 square feet in excess of 1,000 square feet of retail use.

25 (b) Parking spaces required by this Planned Unit Development that are in excess of those
26 required by the underlying zoning district may be satisfied with off-street and on-
27 street parking spaces, with the exception of the Woodall Street parking spaces
28 situated between the Key Highway project entrance and Fort Avenue.

29 (c) When reviewing plans for final design approval, the Planning Commission may take
30 into consideration proposed uses that have different peak parking characteristics that
31 complement each other, so that the parking spaces provided may reasonably be
32 shared by proposed uses, and an excess of parking is not provided by strict
33 cumulation of the parking requirements listed above.

34 **SECTION 6 7. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
35 permanent improvements on the Property within the Planned Unit Development are subject to

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1 final design approval by the Planning Commission to insure that the plans are consistent with the
2 Development Plan and this Ordinance.

3 SECTION 8. AND BE IT FURTHER ORDAINED, That the developer must submit to the Locust
4 Point Civic Association, or its successors or assigns, for review and comment, the form and
5 content of all plans and proposals for development of the Planned Unit Development property at
6 least 45 days prior to a Planning Commission hearing that is scheduled to review the plans.

7 SECTION 9. AND BE IT FURTHER ORDAINED, That the developer must submit to the Key
8 Highway Beautification Project, Inc., for review and comment as to consistency with the Key
9 Highway Master Plan, the form and content of all landscape plans for the Planned Unit
10 Development property at least 30 days prior to a Planning Commission hearing that is scheduled
11 to review the plans.

12 SECTION 10. AND BE IT FURTHER ORDAINED, That signs are permitted within the Planned
13 Unit Development, provided that all signs conform to a signage master plan that is subject to
14 Final Design Approval by the Planning Commission and that they also are subject to the
15 following conditions:

16 (a) Temporary Planned Unit Development signs, business signs, identification signs, and
17 parking garage access signs may exceed the maximum square footage and 2 free-
18 standing signs that may exceed the maximum permitted square footage.

19 (b) The following signs are prohibited in the Planned Unit Development:

20 Free standing pylon signs.

21 (c) A minor privilege permit is required for any sign that projects into the public right-of-
22 way.

23 SECTION 11. AND BE IT FURTHER ORDAINED, That the City or the developer, at the
24 developer's expense and with the approval of the Department of Transportation, must install the
25 following traffic improvements:

26 (a) Traffic signal at Key Highway and Future Site Access intersection with appropriate
27 hazard identification beacons;

28 (b) Southbound left turn lane from Key Highway to Future Site Access;

29 (c) Westbound left turn lane and right turn lane from Future Site Access to Key
30 Highway;

31 (d) Traffic signal conduit and pole base at Fort Avenue and Woodall Street intersection;

32 (e) Pedestrian/bicycle concrete path, consistent with Baltimore City Bicycle Plan, at least
33 8 feet in width along Key Highway frontage.

34 (f) Pedestrian crosswalks along east and west sides of Woodall Street at Fort Avenue;
35 and

36 (g) Concrete "chokers" on 1400 block of Woodall Street.

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1 Baltimore City Department of Transportation approval is required prior to completion
2 and/or installation of the improvements, and the developer shall use all reasonable efforts to
3 obtain Department of Transportation approval; if obtained, the developer must complete the
4 improvements prior to the issuance of occupancy permits for new development on the site.

5 **SECTION 7 12. AND BE IT FURTHER ORDAINED,** That the Planning Commission may
6 determine what constitutes minor or major modifications to the Plan. Minor modifications
7 require approval by the Planning Commission. Major modifications require approval by
8 Ordinance.

9 **SECTION 8 13. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
10 accompanying Development Plan and in order to give notice to the agencies that administer the
11 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
12 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
13 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
14 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
15 Appeals, the Planning Commission, the Commissioner of Housing and Community
16 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

17 **SECTION 9 14. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
18 day after the date it is enacted.

Certified as duly passed this ____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this ____ day of _____, 20__

Chief Clerk

Approved this ____ day of _____, 20__

Mayor, Baltimore City