

**CITY OF BALTIMORE  
COUNCIL BILL 11-0761  
(First Reader)**

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Introduced by: Councilmembers Kraft, D’Adamo

At the request of: BCP Investors, LLC

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Telephone: 410-727-6600

Introduced and read first time: August 15, 2011

Assigned to: Land Use and Transportation Committee

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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, Department of General Services, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Commission on Sustainability

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – BCP PUD**

3 FOR the purpose of approving the application of BCP Investors, LLC, and Exxon Mobil  
4 Corporation, which are the owner and ground lessee of Block 6505, Lots 1/9, 9A, and 10  
5 (collectively, the “Property”), to have the Property designated a Business Planned Unit  
6 Development; and approving the Development Plan submitted by the applicant.

7 BY authority of

8 Article - Zoning

9 Title 9, Subtitles 1 and 4

10 Baltimore City Revised Code

11 (Edition 2000)

12 **Recitals**

13 BCP Investors, LLC (the “applicant”), is the owner of Block 6505, Lots 1/9 and 10 and the  
14 ground lessee of Block 6505, Lot 9A (collectively, the “Property”), consisting of 32.39 acres,  
15 more or less.

16 BCP Investors, LLC, proposes to develop the Property for business uses.

17 On August 2, 2011, representatives of the applicant met with the Department of Planning for  
18 a preliminary conference, to explain the scope and nature of existing and proposed development  
19 on the property and to institute proceedings to have the property designated a Business Planned  
20 Unit Development.

21 The representatives of the applicant have now applied to the Baltimore City Council for  
22 designation of the Property as a Business Planned Unit Development, and they have submitted a

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

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1 Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the  
2 Baltimore City Zoning Code.

3 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
4 Mayor and City Council approves the application of BCP Investors, LLC, to designate the  
5 Property known as Block 6505, Lots 1/9, 9A, and 10, consisting of 32.39 acres, more or less, as  
6 outlined on the accompanying Development Plan entitled “BCP PUD”, dated August 2011, to  
7 designate the property a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of  
8 the Baltimore City Zoning Code.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the  
10 applicant and consisting of Exhibit A, “Existing Conditions Plan”, dated August 2011, and  
11 Exhibit B1, “Development Plan”, dated August 2011 is approved.

12 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title  
13 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

- 14 (a) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning District;  
15 (b) motor vehicles - rental;  
16 (c) outdoor table service when accessory to a permitted use; and  
17 (d) outdoor storage, display, and sales areas.

18 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the following use is prohibited within the  
19 Planned Unit Development:

- 20 (a) dwellings.

21 **SECTION 5. AND BE IT FURTHER ORDAINED,** That when reviewing plans for final design  
22 approval, the Planning Commission may take into consideration proposed uses that have  
23 different peak parking characteristics that complement each other, so that the parking spaces  
24 provided may reasonably be shared by proposed uses, and an excess of parking is not provided  
25 by strict cumulation of the parking requirements of the Zoning Code.

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

30 **SECTION 7. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine  
31 what constitutes minor or major modifications to the Plan. Minor modifications require approval  
32 by the Planning Commission. Major modifications require approval by Ordinance.

33 **SECTION 8. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the  
34 accompanying Development Plan and in order to give notice to the agencies that administer the  
35 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the  
36 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the  
37 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a  
38 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning

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1 Appeals, the Planning Commission, the Commissioner of Housing and Community  
2 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

3 **SECTION 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
4 after the date it is enacted.