

**CITY OF BALTIMORE
COUNCIL BILL 05-0278
(First Reader)**

Introduced by: Councilmember Spector
At the request of: Reisterstown Plaza Associates, 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: November 7, 2005

Assigned to: Land Use and Transportation Committee

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, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Amendment 3 –**
3 **Reisterstown Road Plaza Shopping Center**

4 FOR the purpose of approving certain amendments to the Development Plan of the Reisterstown
5 Road Plaza Shopping Center Planned Unit Development.

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

11 **Recitals**

12 By Ordinance 01-257, as amended by Ordinance 02-447, the Mayor and City Council
13 approved the application of Reisterstown Plaza Associates, LLC, to have a portion of its property
14 known as 6512 Reisterstown Road, consisting of 13.4 acres, more or less, (the “Reisterstown
15 Plaza parcel”) designated as a Business Planned Unit Development and approved the
16 Development Plan submitted by the applicant.

17 Reisterstown Plaza Associates, LLC, wishes to amend the Development Plan, as previously
18 approved by the Mayor and City Council, to permit the development of a bank with a drive-thru
19 on a specified pad site.

20 On October 12, 2005, representatives of Reisterstown Plaza Associates, LLC, met with the
21 Department of Planning for a preliminary conference to explain the scope and nature of the
22 proposed amendments to the Development Plan.

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

1 The representatives of Reisterstown Plaza Associates, LLC, have now applied to the
2 Baltimore City Council for approval of these amendments, and they have submitted amendments
3 to the 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 amendments to the Development Plan submitted by the
7 Developer, as attached to and made part of this Ordinance, including Exhibit B, “Master Plan”,
8 dated August 19, 2005.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That Section 3 of Ordinance 01-257, as
10 amended by Ordinance 02-447, is hereby amended to read as follows:

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

- 14 (a) all permitted, accessory, and conditional uses allowed in the B-2 Zoning District,
15 except the following uses shall be prohibited: automobile accessory shops —
16 including repair and installation services, and garages for storage, repairing, and
17 servicing of motor vehicles;
- 18 (b) a maximum of 3 drive-in or thru uses are permitted on Reisterstown Road as shown
19 in 3 building locations on Reisterstown Road on Exhibit B “Master Plan”. A
20 maximum of [1] 2 drive-in or thru [use is] USES ARE permitted on Patterson Avenue
21 as shown in [1] 2 building [location] LOCATIONS on Patterson Avenue on Exhibit B
22 “Master Plan”. [These] THE drive-in or thru uses PERMITTED ON THE 3 BUILDING
23 LOCATIONS ON REISTERSTOWN ROAD AND THE EASTERNMOST BUILDING LOCATION ON
24 PATTERSON AVENUE include banks: drive-in; drug stores and pharmacies: drive-in;
25 dry cleaning establishments: drive-in; and restaurants: drive-in — including pick-up
26 drives with window service. THE DRIVE-IN OR THRU USE PERMITTED ON THE
27 WESTERNMOST BUILDING LOCATION ON PATTERSON AVENUE, IDENTIFIED AS PAD SITE
28 “F” ON EXHIBIT B “MASTER PLAN,” IS LIMITED TO BANK: DRIVE-IN;
- 29 (c) motor vehicles; rental;
- 30 (d) one gasoline or service station as an accessory use to a grocery store, with a minimum
31 of 40,000 square feet of floor area;
- 32 (e) outdoor table service is subject to Planning Commission design approval; and
- 33 (f) the relocation of the proposed retail pad site on Reisterstown Road
34 immediately north of Clarks Lane to a location immediately north of the first existing
35 signalized intersection north of Patterson Avenue is hereby approved.

36 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
37 what constitutes minor modifications to the Plan. Minor modifications require approval by the
38 Planning Commission. Major modifications require approval by Ordinance.

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

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

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