

Introduced by: Councilmember Stokes, *Jaury*

At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Prepared by: Department of Legislative Reference

Date: September 20, 2017

Referred to: **LAND USE AND TRANSPORTATION** Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 17-0143

A BILL ENTITLED

AN ORDINANCE concerning

**Repeal of Ordinance 14-314 –  
Remington Row Planned Unit Development**

FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

By repealing  
Ordinance 14-314

*Robert Stokes* *Robert Stokes*

**\*\*The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

**Agencies**

- Baltimore City Public School System
- Baltimore Development Corporation
- City Solicitor
- Comptroller's Office
- Department of Audits
- Department of Finance
- Department of General Services
- Department of Housing and Community Development
- Department of Human Resources
- Department of Planning
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Department of Public Works
- Department of Real Estate
- Department of Recreation and Parks
- Department of Transportation
- Fire Department
- Health Department
- Mayor's Office of Employment Development
- Mayor's Office of Human Services
- Mayor's Office of Information Technology
- Office of the Mayor
- Police Department
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Board of Estimates
- Board of Ethics
- Board of Municipal and Zoning Appeals
- Comm. for Historical and Architectural Preservation
- Commission on Sustainability
- Employees' Retirement System
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Environmental Control Board
- Fire & Police Employees' Retirement System
- Labor Commissioner
- Parking Authority Board
- Planning Commission
- Wage Commission
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_

**Boards and Commissions**

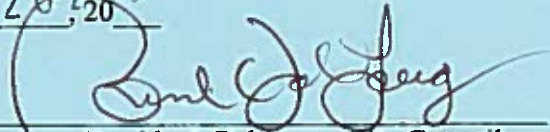
- Other: \_\_\_\_\_
- Other: \_\_\_\_\_





Council Bill 17-0143

Certified as duly passed this \_\_\_\_\_ day of MAR 26, 2018

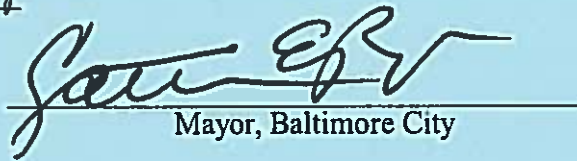
  
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this \_\_\_\_\_ day of MAR 26, 2018

  
\_\_\_\_\_  
Chief Clerk

Approved this 27 day of March, 2018

  
\_\_\_\_\_  
Mayor, Baltimore City

Approved For Form and Legal Sufficiency

This 27<sup>th</sup> Day of March 2018

  
\_\_\_\_\_  
Chief Solicitor

# BALTIMORE CITY COUNCIL LAND USE AND TRANSPORTATION VOTING RECORD

DATE: March 7, 2018

BILL#: 17-0143

BILL TITLE: Ordinance -Repeal of Ordinance 14-314 - Remington Row  
Planned Unit Development

MOTION BY: Stokes                      SECONDED BY: Costello

- FAVORABLE                       FAVORABLE WITH AMENDMENTS  
 UNFAVORABLE                       WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>TOTALS</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>

CHAIRPERSON: Edward L. Dorsey

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC



**CERTIFICATE OF POSTING**

RE: Case No. CCB 17-0143

Date of Hearing 3/7/18

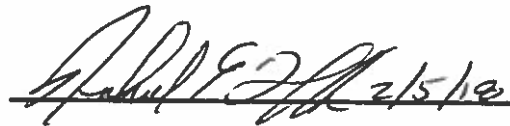
**Baltimore City Council**  
**c/o Natawna B. Austin**  
**Room 409 – City Hall**  
**100 N. Holliday Street**  
**Baltimore, Md. 21202**

This letter is to certify that the necessary sign(s) were posted conspicuously

at the following locations: (1) 301 W. 29<sup>th</sup>. Street  
(2) E\$ Remington Avenue-S of 28<sup>th</sup>. Street  
(3) W\$ 2700 Blk. Remington Avenue  
(2) Ws 2800 Blk. Remington Avenue

on 2/5/2018

Sincerely,

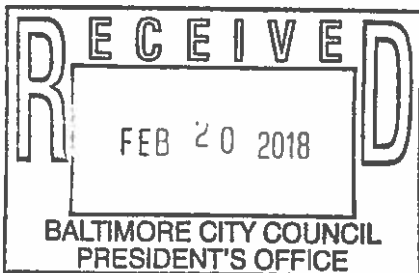


Richard E. Hoffman

904 Dellwood Drive

Fallston, Md. 21047

(443) 243-7360





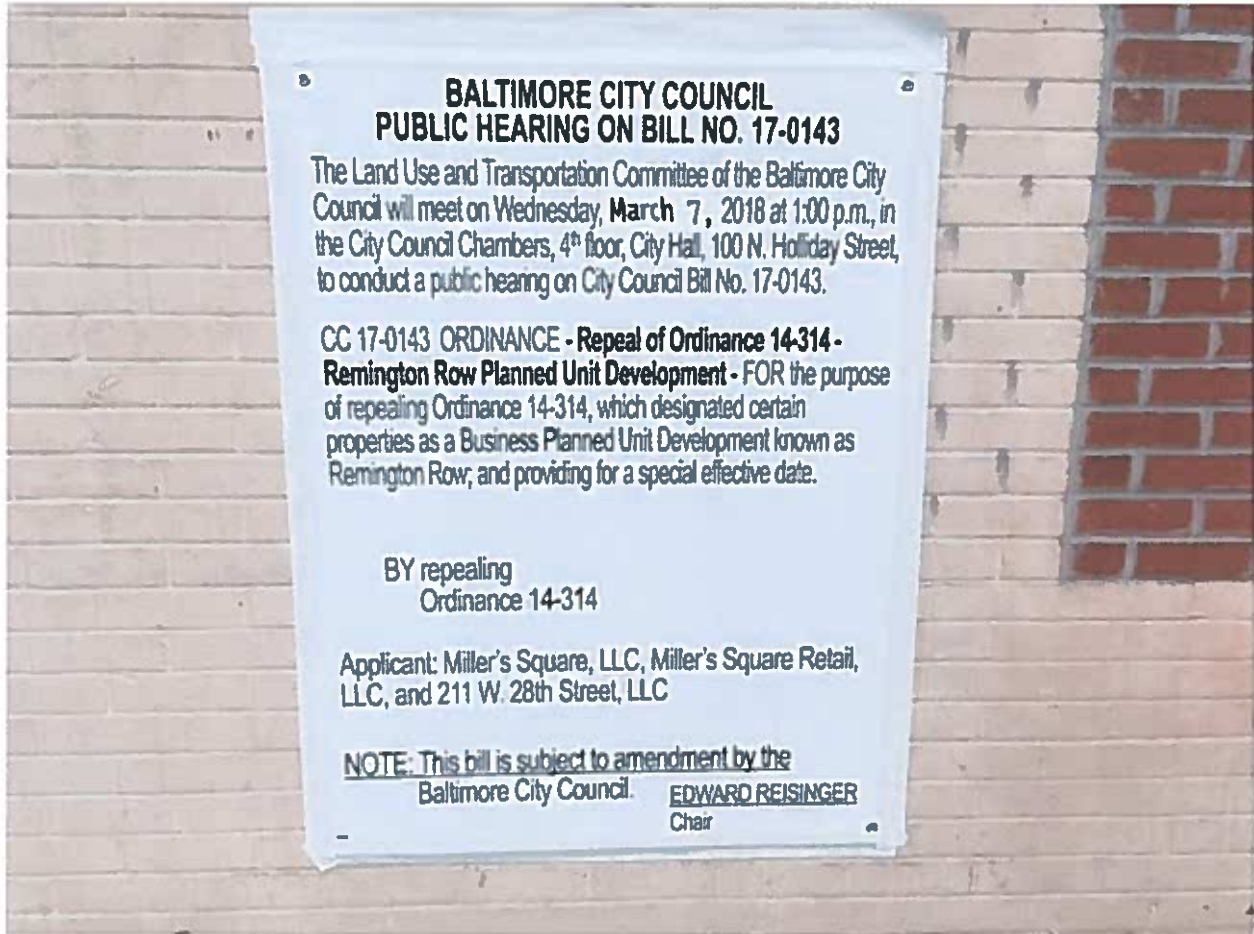


**Certificate of Posting**

**Baltimore City Council**

**Land Use and Transportation Committee**

**City Council Bill No. 17-0143**



**301 W. 29<sup>th</sup>. Street (1 of 4)**

**Posted 2/5/18**

**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

**443-243-7360**

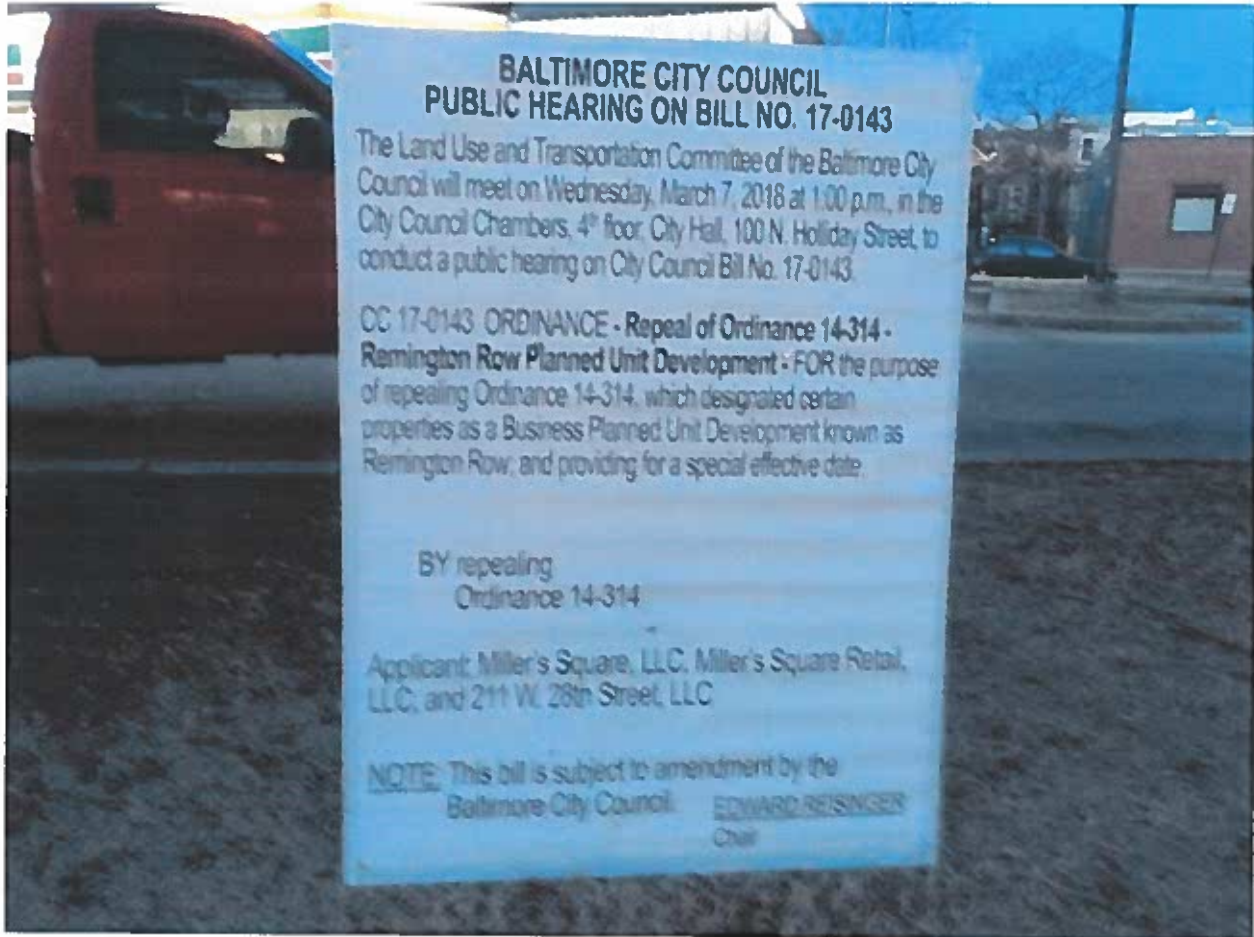


**Certificate of Posting**

**Baltimore City Council**

**Land Use and Transportation Committee**

**City Council Bill No. 17-0143**



**ES Remington Ave. S of 28<sup>th</sup> St. (2 of 4)**

**Posted 2/5/18**

  
Richard E. Hoffman

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**904 Dellwood Drive**

**Fallston, Md. 21047**

**443-243-7360**

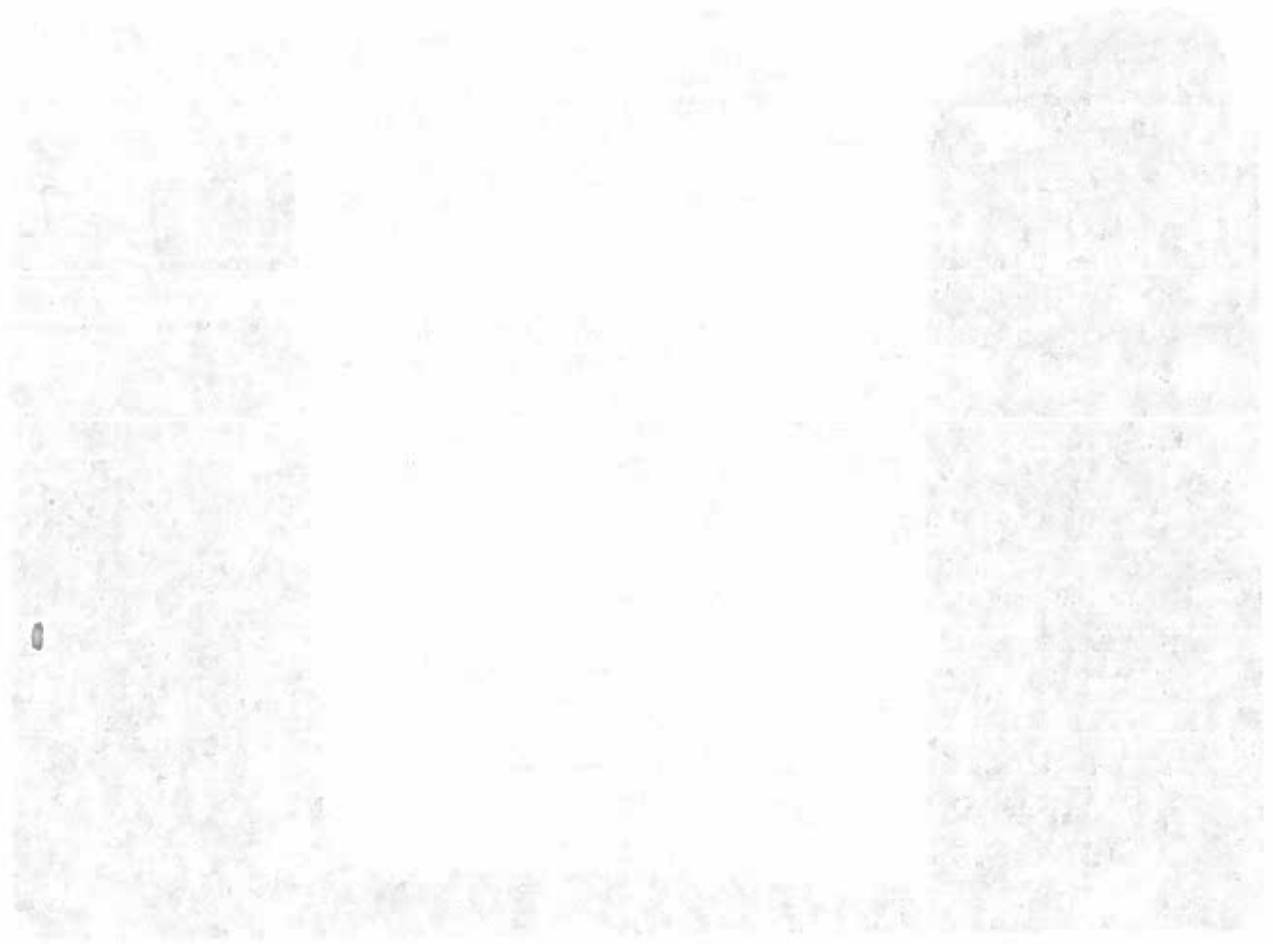


UNIVERSITY OF MICHIGAN

LIBRARY

PHYSICS DEPARTMENT

480 TAPSCOTT DRIVE



PHYSICS DEPARTMENT

UNIVERSITY OF MICHIGAN

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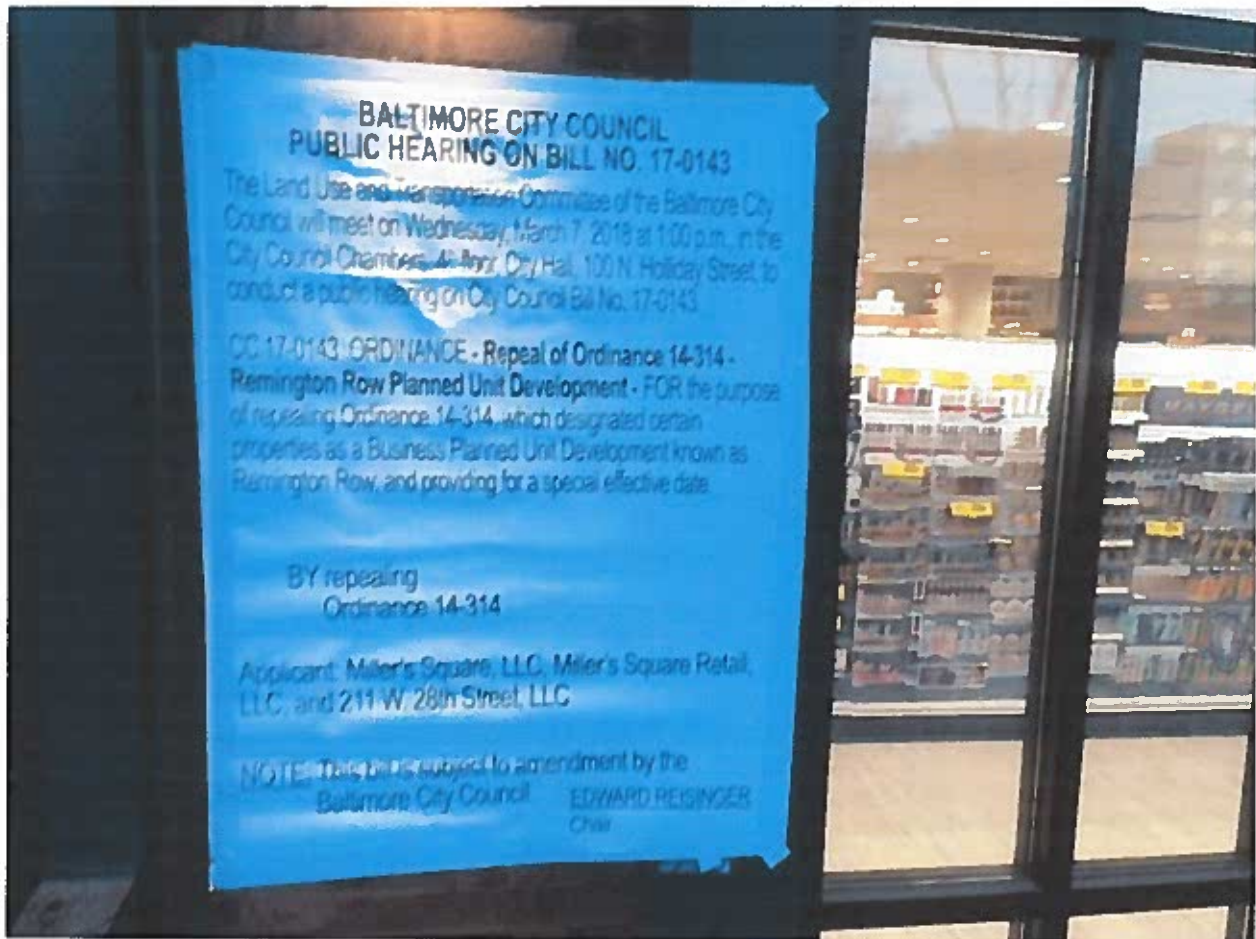


**Certificate of Posting**

**Baltimore City Council**

**Land Use and Transportation Committee**

**City Council Bill No. 17-0143**



**WS 2700 Blk. Remington Ave. (3 of 4)**

**Posted 2/5/18**

**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

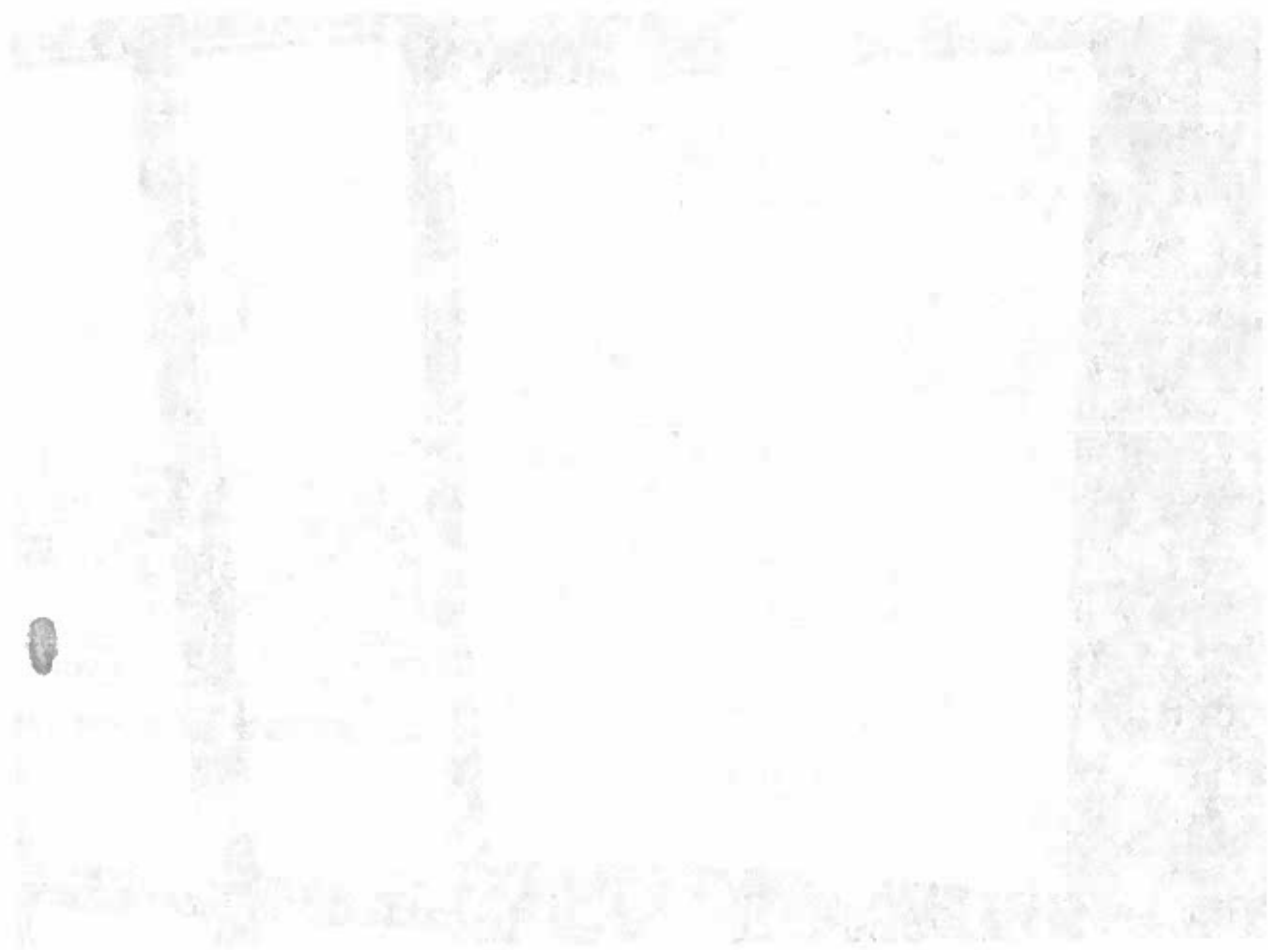
**443-243-7360**



UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WATER RESOURCES DIVISION



1. Name of Project: \_\_\_\_\_

2. Location: \_\_\_\_\_

3. Date: \_\_\_\_\_

4. Project Number: \_\_\_\_\_

5. Scale: \_\_\_\_\_

6. Author: \_\_\_\_\_

**Certificate of Posting**

**Baltimore City Council**

**Land Use and Transportation Committee**

**City Council Bill No. 17-0143**

**BALTIMORE CITY COUNCIL  
PUBLIC HEARING ON BILL NO. 17-0143**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, March 7, 2018 at 1:00 p.m., in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street, to conduct a public hearing on City Council Bill No. 17-0143.

**CC 17-0143 ORDINANCE - Repeal of Ordinance 14-314 - Remington Row Planned Unit Development - FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date**

BY repealing  
Ordinance 14-314

Millbrook & Associates, LLC, Millbrook & Associates, LLC, and 211 W. 28th Street, LLC

**NOTE:** This bill is subject to amendment by the  
Baltimore City Council. **EDWARD REISINGER**  
Chair

**WS 2800 Blk. Remington Ave. (4 of 4)**

**Posted 2/5/18**

 2/5/18

**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

**443-243-7360**

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Handwritten text line below the previous one.

Handwritten text line below the previous one.



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Handwritten text line below the previous one.

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# The Daily Record

11 East Saratoga Street  
Baltimore, MD 21202-2199  
(443) 524-8100

<http://www.thedailyrecord.com>

## PUBLISHER'S AFFIDAVIT

Order #: 11496796

Case #:

Description:

CC 17-0143 ORDINANCE - Repeal of Ordinance 14-314 -  
Remington Row Planned Unit Development

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/12/2018

Darlene Miller, Public Notice Coordinator  
(Representative Signature)

Baltimore City

**BALTIMORE CITY COUNCIL**  
**PUBLIC HEARING ON BILL NO. 17-0143**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, March 7, 2018 at 1:00 PM in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0143.

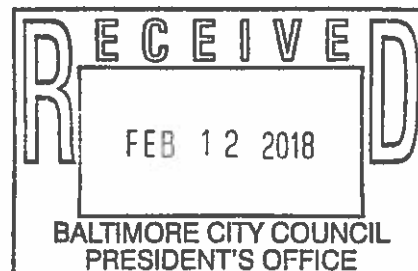
**CC 17-0143 ORDINANCE - Repeal of Ordinance 14-314 - Remington Row Planned Unit Development - FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.**

BY repealing  
Ordinance 14-314  
Applicant: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28th Street, LLC

NOTE: This bill is subject to amendment by the Baltimore City Council.

**EDWARD REISINGER**  
Chairman

f12







**CERTIFICATE OF POSTING**

RE: Case No. CCB 17-0143

Date of Hearing 2/14/18

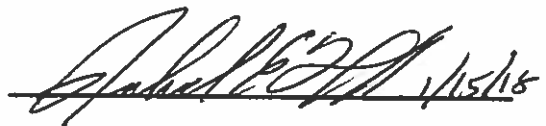
**Baltimore City Council  
c/o Natawna B. Austin  
Room 409 – City Hall  
100 N. Holliday Street  
Baltimore, Md. 21202**

**This letter is to certify that the necessary sign(s) were posted conspicuously  
on the property located at \_\_\_\_\_**

**301 W. 29<sup>th</sup>. Street**

on 1/15/18

**Sincerely,**

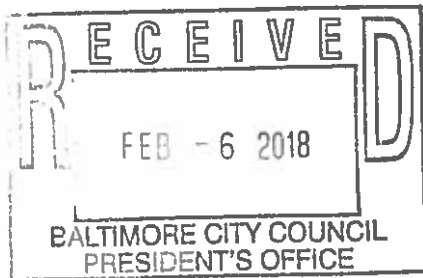


**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

**(443) 243-7360**



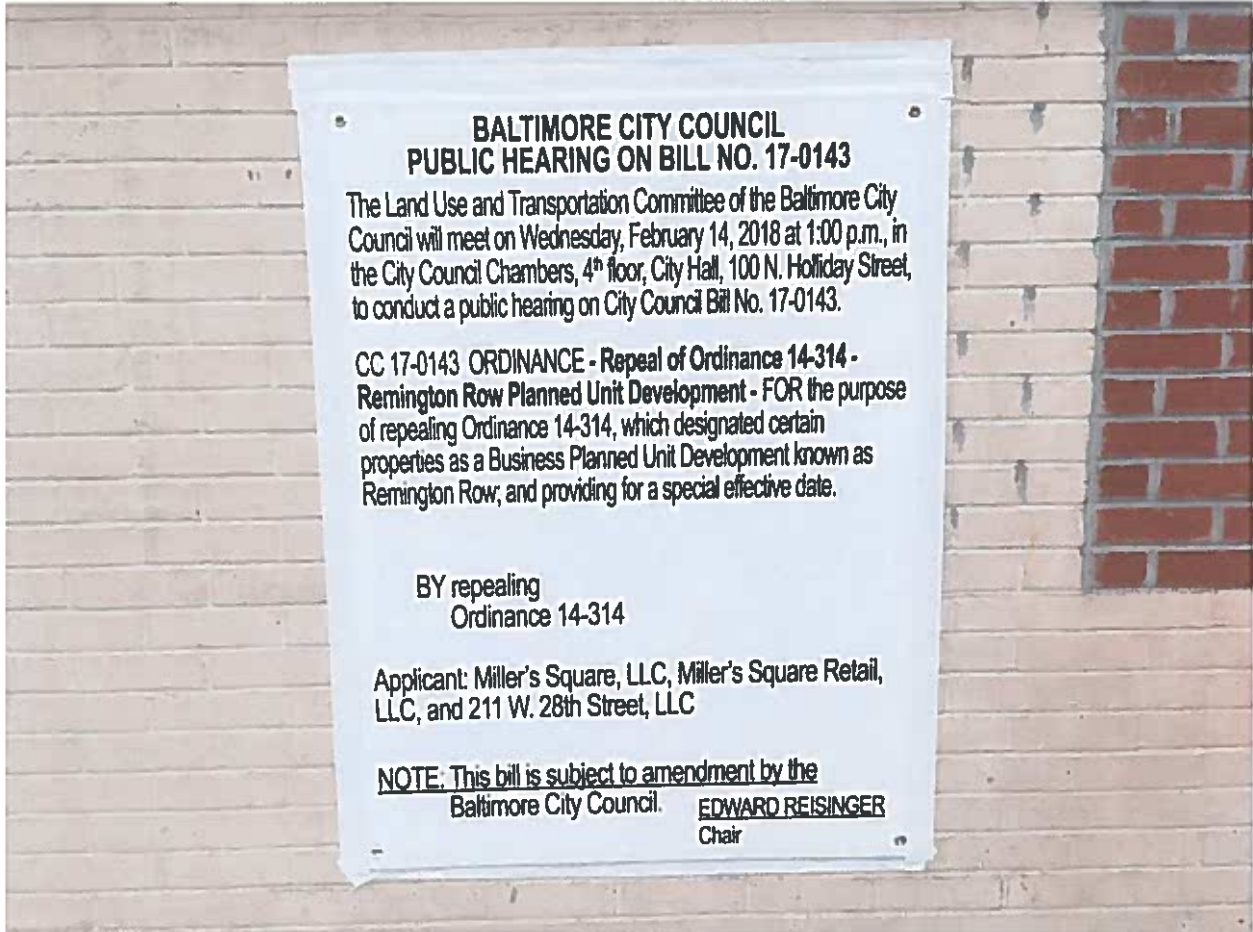


**Certificate of Posting**

**Baltimore City Council**

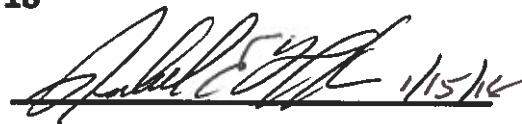
**Land Use and Transportation Committee**

**City Council Bill No. 17-0143**



**301 W. 29<sup>th</sup>. Street**

**Posted 1/15/18**

 1/15/18

**Richard E. Hoffman**

**904 Dellwood Drive**

**Fallston, Md. 21047**

**443-243-7360**



TO: Caroline L. Hecker, Esq.  
FROM: Natawna B. Austin, Executive Secretary, Baltimore City Council  
DATE: February 5, 2018  
RE: INSTRUCTIONS FOR ADVERTISING A PUBLIC HEARING FOR MAP AND TEXT AMENDMENTS;  
PUDs

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The Land Use and Transportation Committee has scheduled the following City Council Bill for public hearing:

**Bill:** City Council Bill No. 17-0143  
**Date:** Wednesday, March 7, 2018  
**Time:** 1:00 P.M  
**Place:** City Council Chambers, 4<sup>th</sup> floor of City Hall, 100 N. Holliday Street.

At the expense of the applicant, notice of this public hearing must be provided in accordance with Article 32. Zoning § 5-601 (please reference pages 127-129):

<http://legislativereference.baltimorecity.gov/sites/default/files/Art%2032%20-%20Zoning%20%28As%20Enacted%29%20%282%29.pdf>

Please note that **ALL** of these requirements **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your advertisement requirements, please contact the Baltimore City Council Executive Secretary, Natawna B. Austin at 410-396-1697 or by email at [Natawna.B.Austin@baltimorecity.gov](mailto:Natawna.B.Austin@baltimorecity.gov).

**Newspaper Advertisement**

You may choose any of the following newspapers for advertising purposes: The Daily Record, The Sun, or the Afro-American.

**Wording for Sign and Newspaper Advertisement**

The information that must be advertised appears between the double lines on the attached page; the deadline date is indicated at the top of the page.

**Certification of Postings**

Certification of the sign posting(s) on the property or properties and publication of the newspaper advertisement(s), in duplicate, must be sent to the Executive Secretary, four (4) days prior to the hearing.

If the required certifications are not received as specified above, the public hearing will be cancelled without notice to the applicant.





THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE ADVERTISED IN A NEWSPAPER AND DOCUMENTS SHOULD BE PROVIDED TO PROPERTY OWNERS ON OR BEFORE Tuesday, February 20, 2018 AND THE SIGN(S) MUST BE POSTED ON THE PROPERTY OR PROPERTIES ON Monday, February 5, 2018 AS OUTLINED ON THE PREVIOUS PAGE.

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BALTIMORE CITY COUNCIL

PUBLIC HEARING ON BILL NO. 17-0143

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, March 7, 2018 at 1:00 P.M in the City Council Chambers, 4<sup>th</sup> floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 17-0143.

**CC 17-0143 ORDINANCE - Repeal of Ordinance 14-314 - Remington Row Planned Unit Development - FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.**

By repealing  
Ordinance 14-314

Applicant: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street,  
LLC

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chairman

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SEND CERTIFICATION OF PUBLICATION TO:


Natawna B. Austin  
Baltimore City Council  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, MD 21202  
410-396-1697

SEND BILL FOR THIS ADVERTISEMENT TO:

Caroline L. Hecker, Esq.  
25 South Charles Street, Suite 21<sup>st</sup> Floor  
Baltimore, MD 21201  
410-727-6600



TJA

<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 <sup>TH</sup> FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #17-0143 – REPEAL OF REMINGTON ROW PUD		

DATE: November 17, 2017

**TO**  
The Honorable President and  
Members of the City Council  
City Hall, Room 400  
100 North Holliday Street

At its regular meeting of November 9, 2017, the Planning Commission considered City Council Bill #17-0143, Repeal of Ordinance 14-314 - Remington Row Planned Unit Development for the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #17-0143 and adopted the following resolution; eight members being present (eight in favor):

**RESOLVED**, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #17-0143 be passed by the City Council.

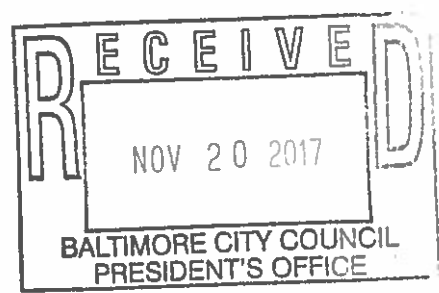
If you have any questions, please contact Mr. Wolde Ararsa, Division Chief, Land Use and Urban Design Division at 410-396-4488.

TJS/WA

Attachment

- cc: Mr. Pete Hammen, Chief Operating Officer
- Mr. Jim Smith, Chief of Strategic Alliances
- Ms. Karen Stokes, Mayor's Office
- Mr. Colin Tarbert, Mayor's Office
- Mr. Kyron Banks, Mayor's Office
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. William H. Cole IV, BDC
- Mr. David Tanner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Mr. Patrick Fleming, DOT
- Ms. Elena DiPietro, Law Dept.
- Mr. Francis Burnszynski, PABC
- Ms. Natawna Austin, Council Services
- Ms. Caroline Hecker, Attorney for Applicant

F







*Catherine E. Pugh*  
Mayor

## PLANNING COMMISSION

*Sean Davis, Chairman*

### STAFF REPORT



*Thomas J. Stosur*  
Director

November 9, 2017

**REQUEST:** City Council Bill #17-0143/Repeal of Ordinance 14-314 - Remington Row Planned Unit Development

For the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

**RECOMMENDATION:** Approval

**STAFF:** Christina Hartsfield

**PETITIONER(S):** Miller's Square Retail, LLC

**OWNER:** Miller's Square Retail, LLC

#### **SITE/GENERAL AREA**

##### General Area:

The Remington Row Planned Unit Development (PUD) is located in the Remington neighborhood of North Baltimore. The mixed-use development has residential, office, retail, and restaurant uses amongst its three buildings. The blocks adjacent to the site also contain a mix of uses and development types, including two and three-story rowhouses, a police station, a multi-family building, small eateries, and offices. Commercial, residential, and light industrial zoning districts surround the development, which reflect the diversity of land uses in the neighborhood.

##### Site Conditions:

The Remington Row PUD comprises three blocks along Remington Avenue between W. 29<sup>th</sup> Street and W. 27<sup>th</sup> Street. These blocks are delineated as Area A, B, and C in the PUD's Development Plan. Area A includes the entire 2700 block of Remington Avenue and is improved with a five-story, mixed-use building with retail, offices, 108 apartment units, and structured parking. Area B consists of the property known as 301 W. 29<sup>th</sup> Street. The preexisting structure on this site was converted into a mixed-use office and restaurant building. Area C is the property known as 211 W. 28<sup>th</sup> Street, which is the site of a 7-Eleven retail store that existed prior to the creation of the PUD. No area of the PUD lies within a Master Plan area, Urban Renewal Plan area, designated historic district, Chesapeake Bay Critical Area, or regulated floodplain.





## **HISTORY**

- Ordinance #14-314, approved December 10, 2014, established the Remington Row Planned Unit Development
- Minor Amendment and Final Design Approval –301 West 29th Street, approved by Planning Commission on November 19, 2015.

## **ANALYSIS**

Remington Row Business Planned Unit Development was created on December 10, 2014 by Ordinance 14-314 to facilitate the construction of a mixed-use development with residential, commercial, and office uses. At that time, Transform Baltimore had already been introduced with recommendations of C-1, C-2, and I-MU zones for the project area, which were suitable for the desired development. However, without a date certain for enactment of the new Zoning Code, the applicant decided to pursue development under the 1971 Zoning Code. The desired uses were permitted under the existing R-9 and B-3-2 zoning, however without a PUD, the ability to aggregate density from the combined parcels was not possible.

On June 5, 2017, Transform Baltimore became effective, which ultimately zoned the properties in Area A and C of the PUD as C-2, and in Area B as I-MU. By that time, construction of the new mixed-use, multi-family building in Area A was complete, as well as the renovation and adaptive reuse of the existing structure at 301 W. 29<sup>th</sup> Street, now known as R-House. Both projects were developed with the uses and density that were envisioned when the PUD was enacted. Area C is the last site in the PUD that has not been redeveloped. However, this site was not projected to begin redevelopment until 2025, as this is the location of an operating 7-Eleven retail store that has multiple years remaining on its lease.

This project brought over 100 new residents, 15 new local businesses, and new office users into the Remington neighborhood, in addition to more property tax revenue for the City. The two completed developments have given priority back to the walkability and pedestrian friendliness of Remington Avenue by replacing curbsless street edges where cars parked in pedestrian pathways with landscaped sidewalks that buffer people from cars and enhance neighborhood connectivity. New street trees, landscape zones in the sidewalks, and new open space in Area C added vegetation to the project area, making outdoor spaces more enjoyable for neighbors.

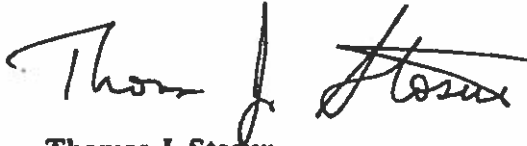
Since the implementation of the development plan is mostly complete, including the projected enhancements to the public realm, and the rezoning under Transform Baltimore has taken place, retaining the PUD is no longer necessary. Council Bill 17-0143 proposes the repeal of Ordinance 14-314 to eliminate the Remington Row PUD. Eliminating non-essential land use regulatory layers to promote positive development has been an overall goal of the Transform Baltimore Comprehensive Rezoning initiative citywide. The repeal does not effectuate a rezoning of the properties within the PUD nor will it force the closure of any business. Both of the completed projects are supported by-right by the current zoning and the applicant verified that the underlying zoning meets their present and future needs.



**NOTIFICATION**

The following community organizations have been notified of this action:

- Greater Remington Improvement Association
- Remington Neighborhood Alliance

A handwritten signature in black ink, appearing to read "Thomas J. Stosur". The signature is written in a cursive style with a large, sweeping initial "T".

**Thomas J. Stosur  
Director**



CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

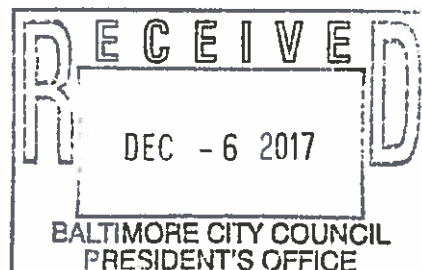


DEPARTMENT OF LAW

ANDRE M. DAVIS, CITY SOLICITOR  
100 N. Holliday Street  
Suite 101, City Hall  
Baltimore, Maryland 21202

December 6, 2017

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 17-0143 – Repeal of Ordinance 14-314 – Remington Row PUD

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 17-0143 for form and legal sufficiency. The bill would repeal the prior Ordinance 14-314 that established the Planned Unit Development for Remington Row. There are no legal impediments to this repeal. The Land Use Art. of the Md. Ann.Code, §10-304(a) provides that the “Mayor and City Council of Baltimore City may amend or repeal zoning regulations and boundaries.” Pursuant to this authority, the Mayor and City Council enacted §13-403 of the City’s Zoning law regarding changes to planned unit developments. That provision states (b) A major change requires:

- (1) the repeal of the ordinance that approved the planned unit development; and
- (2) introduction and enactment of an ordinance to approve a new planned unit development and PUD master plan.

“Major change” includes “a change in the boundaries of the planned unit development. See §13-403(a)(4). Termination of a PUD is the ultimate change in the boundaries of a PUD as those boundaries are completely removed.

In addition, with respect to floating zones, such as a PUD, Maryland Courts have said that the legislative body must have “a little more than a scintilla of evidence” to support its decision and that decision must not be “arbitrary, capricious or illegal.” *Rockville Crushed Stone, Inc. v. Montgomery County*, 78 Md. App. 176, 190 (1989)(citations omitted); *accord Richmarr Holly Hills v. Am. PCS, L.P.*, 117 Md. App. 607, 639 (1997); *see also MLC Auto., LLC v. Town of S. Pines*, 532 F.3d 269, 281 (4<sup>th</sup> Cir. 2008)(citing *Nectow v. City of Cambridge*, 277 U.S. 183, 187-88 (1928)); *Lingle v. Chevron U.S.A. Inc.*, 544 U.S. 528, 543 (2005)).

F





Page 2 of 2

This bill is an appropriate exercise of the City Council's authority. The Law Department, therefore, approves the bill for form and legal sufficiency.

Sincerely yours,



Elena R. DiPietro  
Chief Solicitor

cc: Andre M. Davis, City Solicitor  
Karen Stokes, Director, Mayor's Office of Government Relations  
Kyron Banks, Mayor's Legislative Liaison  
Hilary Ruley, Chief Solicitor  
Victor Tervalo, Chief Solicitor  
Jennifer Landis, Assistant Solicitor



1915

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor



BOARD OF MUNICIPAL AND  
ZONING APPEALS

DAVID C. TANNER, Executive Director  
417 E. Fayette Street, Room 1432  
Baltimore, Maryland 21202

December 4, 2017

The Honorable President and  
Members of the City Council  
City Hall  
100 N. Holliday Street  
Baltimore, MD 21202

**RE: CC Ord.17-0143: Repeal of Ordinance 14-314 - Remington Row  
Planned Unit Development, for the purpose of repealing Ordinance  
14-314, which designated certain properties as a Business Planned  
Unit Development known as Remington Row**

Ladies and Gentlemen:

City Council Bill No. 17-0143 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 17-0143 is to repeal Ordinance 14-314 - Remington Row Planned Unit Development, which designated certain properties as a Business Planned Unit Development known as Remington Row, and providing for a special effective date.

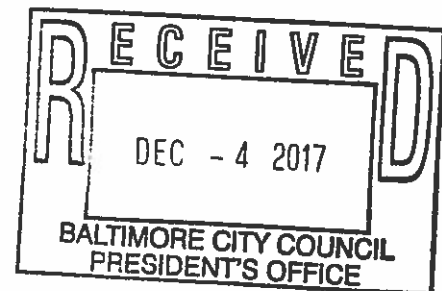
The BMZA has reviewed the legislation and defers to the report and recommendation of the Planning Department and the Planning Commission which recommend approval and passage of CC# 17-0143.

Sincerely,


David C. Tanner  
Executive Director

DCT/djb

CC: Mayors Office of Council Relations  
Legislative Reference





F R O M	NAME & TITLE	Michelle Pourciau, Director	CITY of BALTIMORE  MEMO	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 17-0143		

TO The Honorable President and  
Members of the City Council  
c/o Natawna Austin  
Room 400 City Hall

October 11, 2017

I am herein reporting on City Council Bill 17-0143 Repeal of Ordinance 14-314 – Remington Row Planned Unit Development for the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

DOT does not oppose bill 17-0143 however notes that if future building permits for development within the original Planned Unit Development (PUD) boundary are submitted, they will be subject to traffic impact study (TIS) requirements.

Respectfully,

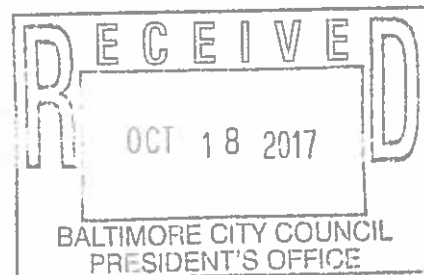


Michelle Pourciau  
Director

MP/lw

Cc: Kyron Banks, Mayor's Office

*Not  
opposed*





The Baltimore City Department of  
HOUSING & COMMUNITY  
DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner 

Date: December 4, 2017

Re: City Council Bill 17-0143 - Repeal of Ordinance 14-314 – Remington Row Planned Unit  
Development

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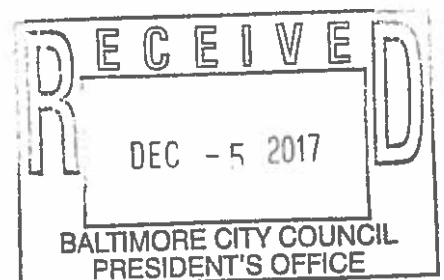
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 17-0096, for the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

If enacted, this bill would repeal the current Planned Unit Development (PUD) in the Remington Neighborhood that was approved in December of 2014, prior to the passage of the new zoning code in Baltimore City. Since the establishment of the PUD, there has been construction of a new mixed-use, multi-family building, and the renovation and adaptive reuse of a structure at 301 W. 29<sup>th</sup> Street. The last phase of redevelopment for 211 W. 28<sup>th</sup> street is not scheduled to begin until 2025 and the current rezoning of C-2 meets the present and future needs for the property.

The Department of Housing and Community Development supports the passage of City Council Bill 17-0143.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*  
Mr. Kyron Banks, *Mayor's Office of Government Relations*





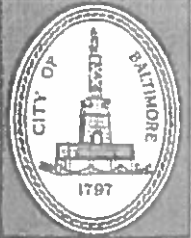


FROM

NAME & TITLE	Niles R. Ford, PhD, Chief of Fire Department <i>NRF</i>
AGENCY NAME & ADDRESS	Baltimore City Fire Department 401 East Fayette St. 21202
SUBJECT	City Council Bill #17-0143 Response to Repeal of Ordinance 14-314 Remington Row Planned Unit Development

CITY OF BALTIMORE

MEMO



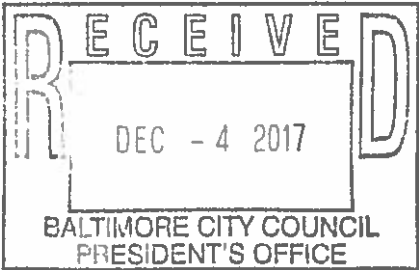
TO

The Honorable Bernard C. Young, President  
And All Members of the Baltimore City Council  
City Hall, Room 408

DATE: December 4, 2017


**For the purpose of repealing Ordinance 14-314, which designated certain properties Business Planned Unit Development known as Remington Row, and providing For a special effective date.**

**The Fire Department does not object to City Council Bill 17-0143 provided that all applicable sections of the Fire and Building codes are adhered. This may include a requirement for plans to be submitted to the Fire Department, an annual Fire Inspection, permit, automatic sprinkler system, and Fire Alarm system.**



*No objection*



<b>FROM</b>	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	CITY COUNCIL BILL 17-0143		

DATE: December 1, 2017

**TO**

The Honorable President and Members  
of the Baltimore City Council  
c/o Natawna Austin  
Room 400 – City Hall

I am herein reporting on City Council Bill 17-0143 introduced by the Council President and Councilman Stokes at the request of Miller's Square LLC, and 211 W. 28<sup>th</sup> Street, LLC.

The purpose of this Bill is to repeal Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and to provide for a special effective date.

The Remington Row PUD is located in the Remington neighborhood and is situated on three blocks of Remington Avenue between W. 27<sup>th</sup> Street and W. 29<sup>th</sup> Street. It contains a variety of uses, including a 108-unit apartment building, offices, parking, retail, and restaurants. The surrounding zoning is commercial, residential, and light industry.

On December 10, 2014, Ordinance 14-314 established the Planned Unit Development (PUD) for Remington Row to support the development of a mixed-use complex including residential, offices, and commercial. These proposed uses were permitted under the zoning that existed at the time – R-9 and B-3-2; however, the developer sought the ability to aggregate density from the combined parcels which was not possible without a PUD.

The development moved forward, utilizing the density allowed by the PUD. Construction of a new mixed-use building and multi-family building was completed, along with the renovation of an existing structure to create the building now known as R-House. Transform Baltimore became effective on June 5, 2017, rezoning the properties to C-2 and I-MU, which are suitable zoning categories for the properties' uses.

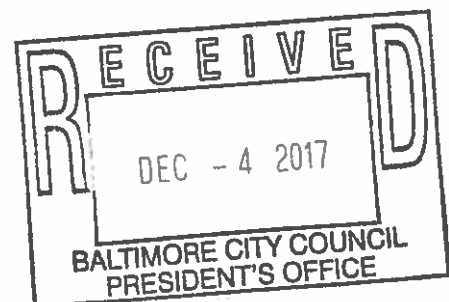
Now that the implementation of the project plan is mostly complete and the new zoning code is in effect, the PUD is no longer necessary. City Council Bill 17-0143, if approved, would repeal the Business Planned Unit Development for Remington Row, which would not impact the underlying zoning. It is our understanding that the surrounding community have been notified and that a public meeting was held. Based on these findings, the Department of Public Works has no objection to the passage of City Council Bill 17-0143.

Sincerely,

  
Rudolph S. Chow, P.E.  
Director

RSC/KTO

No  
obj








## MEMORANDUM

**TO:** Honorable President and Members of the City Council  
Attention: Natawna B. Austin, Executive Secretary

**FROM:** William H. Cole, President and CEO 

**DATE:** November 13, 2017

**SUBJECT:** City Council Bill No. 17-0143  
Repeal of Ordinance 14-314 – Remington Planned Unit Development

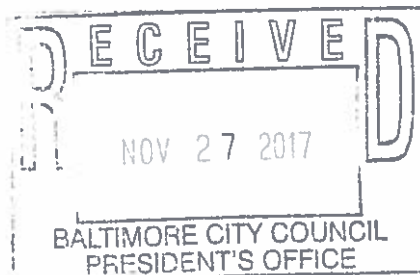
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The Baltimore Development Corporation (BDC) has been asked to comment on City Council Bill No. 17-0143 for the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

Repealing Ordinance 14-314, will allow a repeal of the Planned Unit Development (PUD) to permit the property to be developed and operated for residential and commercial uses.

BDC supports Bill No. 17-0143 and respectfully requests that favorable consideration is given by the City Council.

**cc:** Kyron Banks







GREATER REMINGTON  
IMPROVEMENT ASSOCIATION

September 19, 2017

(443) 620-4742  
www.griaonline.org

Molly McCullagh  
President

Jed Weeks  
Vice President

Julie Dael  
Secretary

Nellie Power  
Treasurer

**Board Members at Large**  
Ryan Flanigan  
Maryanne Kondratenko  
Blaine Carvalho  
Bill Cunningham  
Josh Greenfeld  
Peter Morrill  
Phong Le  
Leah Irwin

Councilwoman Mary Pat Clarke, Councilman Robert Stokes  
City Hall, 100 North Holliday Street  
Baltimore, MD 21202

**Re: GRIA Letter of Support for repeal of Remington Row PUD**

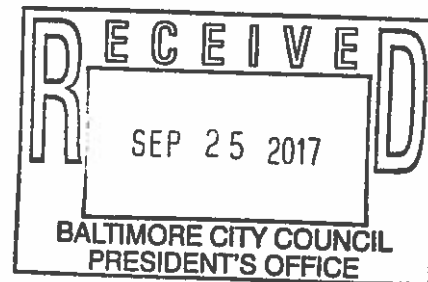
Dear Councilwoman Clarke and Councilman Stokes,

The Greater Remington Improvement Association (GRIA) writes in support of the repeal of the Remington Row Planned Unit Development project. When the PUD was introduced in 2014, GRIA supported the proposal. The GRIA Land Use Committee met with representatives from Seawall Development on September 5<sup>th</sup>, 2017 to better understand the need for the repeal. The Land Use Committee members voted unanimously to support the repeal of the PUD; the GRIA board affirmed this vote. Since the implementation of the updated zoning code in June 2017, the PUD is outdated and the projects would be best served by the new zoning designations.

We encourage you to introduce a bill to repeal the Remington Row PUD.

Best regards,

Molly McCullagh  
President, Greater Remington Improvement Association







**From:** Kate Titford [mailto:ktitford@gmail.com]

**Sent:** Wednesday, October 04, 2017 10:49 AM

**To:** Clarke, Mary Pat

**Subject:** Resident opposed to repeal of the PUD at Remington Row

Hi Councilwoman Clarke -

I live near the Remington Row development, and I am VERY opposed to any repeal of that PUD.

I am grateful for all Seawall Development has done in and for our neighborhood, but believe that the original agreed-upon restrictions on their parcel(s) are still relevant and needed to ensure the quality of life for surrounding neighbors. As we say on our block: KEEP CANTON OUT OF REMINGTON!

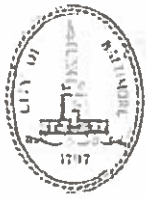
I also question the motives of Councilman Stokes, but I will save that for another email.

Thank you for standing up for our neighborhood!

Kate.



BALTIMORE CITY COUNCIL



MARY PAT CLARKE

14<sup>th</sup> District

City Hall, Room 550

100 N. Holliday St.

Baltimore, Md 21202

410-396-4814

410-545-7585 fax

marypat.clarke@baltimorecity.gov

**Effects of Termination of Remington Row PUD on Area B  
14<sup>th</sup> District, Comprised of R-House Property**

1. Lose PUD "maximum hours of operation" for Area B, with loss of the following:  
[ (2) Area B – 7:00am to 10:00pm, except that cafes and restaurants serving breakfast may open at 6:00am, and restaurants may extend table service to no later than midnight. (Title 9, SECTION 3, (a)(2)) ]
2. Lose restriction on total number of liquor licenses within the entire PUD area.  
(Title 9, SECTION 5 (a) & (b))
3. Area B reverts to IMU zoning in which certain PUD-prohibited uses change, included but not limited to:

Firearm & Ammunition sales

(retail goods establishment): Go from Prohibited (X) to Permitted (P)

Amusement arcades in shopping centers over 20,000SP (recreation: indoors):

From X to (P)

Amusement devices (recreation: indoor): from (X) to (P)

Apartment hotels (hotel) from (X) to conditional use by Zoning Board (CB)

Automotive accessory stores (retail goods establishment): from (X) to (P)

Blood donor centers (health care clinic): from (X) to (P)

Community Correction Centers from (X) to (P)

Convalescent, nursing and rest homes (residential care facility)

from (X) to (P) under 17 residents and (CB) if more than 17

-MORE-

received  
3/5/18 JKC

*(zoning changes from PUD to IMU in Area B if Remington Row PUD is terminated)*

Garages, including body repair: from (X) to (CO) if fully enclosed; (X) if outdoors

Residential substance abuse treatment, 17 or more patients (residential care facility):  
From (X) to (CB)

Parole & Probation field office (government facility): from (X) to (P)

Pool halls & billiard parlors (recreation: indoor): from (X) to (P)

Public utility service centers (utilities) from (X) to (CB)

Taverns: from (X) to (CO)T

Termination of Remington Row PUD.doc

10/11/11

Post Termination of PUD per CB 18-143

Zoning Board live entertainment restrictions continue as outlined in Board's decision of May 26, 2017, on Appeal 2017-107.

\*(See decision language next page.)

Planning has confirmed that 41 onsite parking spaces will be required by underlying I-MU zoning (PUD now requires 43).

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**\*LIST of prohibited uses to run with land records for Area B**

Amusement arcades

Amusement devices

Apartment hotels

Automotive accessory stores

Blood donor centers

Clubs & lodges: private, non-profit

Community correction centers

Convalescent, nursing and rest homes

Garages, including body repair, repainting, engine rebuilding, and storage, regardless of the size of vehicles serviced

Lodge or social club

Methadone clinic

Substance abuse treatment facilities (residential or outpatient)

Parole & probation field office

Pool halls & billiard parlors

Public utility service centers

\*\*Taverns (See definition next page)



**\* Zoning Board restrictions for live entertainment**

**RESOLVED**, that the petitioner's request to add live entertainment and dancing as accessory to the existing Miller's Square Area B first floor food court (restaurant) with existing accessory outdoor table service is **GRANTED** subject to the following **CONDITION(S)**:

- (1) All live entertainment and dancing must be contained indoors;
- (2) During times in which live entertainment and dancing is provided, all windows and doors must remain closed to mitigate sound reverberating into the surrounding residential community;
- (3) All decibel levels must be in accordance with current City Codes, and if various City Codes conflict with one another, the lesser maximum decibel level governs;
- (4) Hours of operation for live entertainment are limited to the following:
  - (a) Monday – Friday, 6:00pm – 10:00pm
  - (b) Saturday – Sunday, 10am – 10pm

Conditions (5) through (8) pertaining to permits and postings also included.

(Baltimore City Board of Municipal and Zoning Appeals, Resolution of May 26, 2017, Appeal 2017-107, pp. 5 & 6).

**\*\*TAVERN definition (Zoning Code of Baltimore City 2017 Edition, 1-314, p.65)**

- (a) *Tavern* "Tavern means a business establishment that:
- (1) Is devoted primarily to serving alcoholic beverages to the public for on-premises consumption; and,
  - (2) Might or might not also:
    - (i) serve food; and
    - (ii) sell alcoholic beverages for off-premises consumption.









**Coates, Jennifer**

---

**From:** Joan Floyd <joanfloyd@hotmail.com>  
**Sent:** Tuesday, March 06, 2018 12:45 PM  
**To:** Coates, Jennifer  
**Cc:** msimmons@bizjournals.com  
**Subject:** Written Testimony for Bill 17-0143  
**Attachments:** Written Testimony PUD Repeal.pdf; PUD Repeal Exhibit A.pdf; PUD Repeal Exhibit B.pdf

Ms. Coates:

Attached please find my written testimony (with two exhibits) for tomorrow's Land Use Committee hearing on Bill 17-0143.

Please acknowledge receipt and indicate when and how these documents will be distributed to the Committee members.

Thank you.

- Joan Floyd



**JOAN FLOYD**  
2828 N. HOWARD STREET  
BALTIMORE, MD 21218  
Resident Homeowner

**WRITTEN TESTIMONY ON BILL 17-0143 - "Repeal of Ordinance 14-314"  
BEFORE THE BALTIMORE CITY COUNCIL LAND USE COMMITTEE**

**PRIOR CITY COUNCIL ACTION REGARDING THESE PROPERTIES**

In late 2014 this developer willingly and knowingly accepted certain requirements and limitations on the development of these properties, in exchange for the right to build the new building that now stands at 2700 Remington Avenue. The PUD needed a minimum of 2 acres of property, which was achieved by the inclusion of the 7-11 site (Area C). The accepted requirements and limitations, which covered both operations and construction throughout the 2+ acres, constituted a "binding agreement" as to what would happen even beyond 2026, the time when the 7-11 building would be repurposed and some impervious surface removed. There was no public discussion of "repealing" the PUD and having it operate as a mere "interim" measure to authorize a particular structure, instead of the binding agreement that it is.

In late 2016 this developer accepted C-2 and I-MU zoning for these properties on the "New Map," knowing full well that the properties were controlled not by these new categories but by the PUD; that the "New Code" required pre-existing PUDs to be maintained; and that major changes, such as changes to the accepted development and operating limitations and requirements, would require submission of a proposed replacement Plan and a rigorous review and approval process. Again, there was no public discussion of "repealing" the PUD so as to benefit from new zoning categories, instead of having to go through the "major change" process.

The PUD is something the surrounding neighborhood is supposed to be able to rely on, that surrounding properties owners are supposed to be able to rely on when we make our own plans. It is a binding agreement and we are supposed to be beneficiaries of the limitations and requirements of that binding agreement.

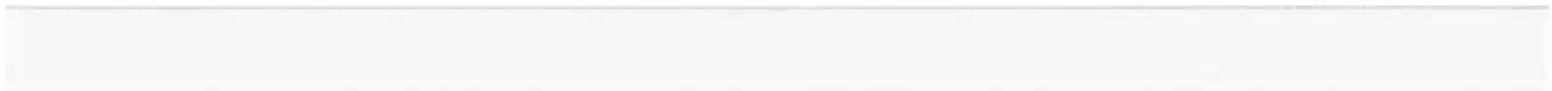
**THE "NEW MAP" DESIGNATIONS ARE NOT FINAL**

A major premise of this Bill is that the low-density B-3-2 zoning of these properties has been replaced with C-2 and I-MU zoning, which are high-density housing categories. B-3-2 allows 40 units per acre; C-2 allows 194 units per acre and I-MU allows 145 units per acre. But these zoning changes for these properties are not even final.





**berlin**



First, the entire "New Map" is under a class-action challenge which is making its way through the Maryland courts. The judicial process takes time; the ultimate outcome may be that the Maryland courts agree that the "New Map" was unlawfully enacted, and the zoning of these properties is still B-3-2 (and R-9), because due process requirements were not satisfied.

Secondly, as important information about these properties was withheld at the time the "New Map" was adopted, namely the developer's intention to have the PUD "repealed" instead of adhering to it, there is a bona fide "mistake" in the C-2 and I-MU zoning of these properties.

### **EVEN UNDER A "NEW MAP" PRE-EXISTING PUDS REMAIN IN EFFECT**

The original "transition rules" for PUDs in the "New Code" stated, "Previously approved residential, office-residential, business, and industrial planned unit developments remain valid and must continue to comply with all requirements and conditions of their initial approval, including all Code regulations in effect immediately preceding the effective date of this Code." [13-102(a)] It now reads, "Residential, office-residential, business, and industrial planned unit developments approved before the effective date of this Code (June 5, 2017) remain valid as long as they continue to comply with all requirements and conditions of their approvals and of the Zoning Code regulations in effect immediately preceding that effective date."<sup>1</sup>

In other words, it was the legislative intent that pre-existing PUDs would not be invalidated or rendered obsolete by any "New Map."

### **REPEAL WOULD EFFECT MAJOR CHANGES**

Under both the "Old Code" and "New Code," major changes to a PUD cannot be made without City Council approval of a new PUD Plan. Under both codes, the changes this Bill effects are major and require City Council approval of a new PUD Plan. The "New Code" lists several major changes this Bill would effect:

- 13-403(a)(1): an increase of 10% in the approved number of dwelling units  
*This PUD is already maxed out at 108 units; repeal will allow that number to triple.*
- 13-403(a)(2): an increase of 10% in the maximum building heights  
*This structures in this PUD are already at maximum floor area, and the building on the 7-11 site is capped at one story; repeal will allow new construction up to 100 feet.*
- 13-403(a)(3): a change in the type, location, or arrangement of land use within the development

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<sup>1</sup> A non-substantive change under "corrective" Ord. 17-0015.





*Areas of this PUD are set aside for non-residential use, and for open space; repeal will allow these to be replaced by multi-family residential structures. The areas of this PUD set aside for parking are insufficient for the current demand, especially the demand created by the restaurant; repeal will allow parking to be replaced by commercial space, thereby increasing demand while reducing supply. And repeal will give this PUD a much lower off-street parking requirement for restaurants.*

- 13-403(a)(5): a decrease in open space that had been included as a public benefit  
*The 7-11 site in particular was planned as a relatively open area with decreased impervious surface; however, the developer has added impervious surface to the site, and repeal will allow the site to be built out to the property line.*
- 13-403(a)(6)(C-D): a change that violates a condition of approval attached to the planned unit development or a provision of the ordinance that approved the planned unit development  
*The PUD expressly limited hours of business operation, in deference to surrounding residences; repeal would eliminate those restrictions. Also in deference to surrounding residences, the PUD expressly prohibited many uses, including Outdoor Sales and Taverns, throughout the 2+ acres; repeal would eliminate those prohibitions. The PUD expressly limited the number and types of alcoholic beverage licensed establishments; repeal would eliminate those limitations. See text of PUD Ord. 14-314, attached at A and incorporated herein.*

Each of these changes, by itself, requires City Council review and approval of a new PUD Plan.

### **MAJOR CHANGES REQUIRE A NEW PUD PLAN**

It is legislative intent that a major change to a PUD as a “binding agreement” is difficult to obtain. Under “New Code” 13-403(b), a major change requires “introduction and enactment of an ordinance to approve a new planned unit development and PUD master plan.”

In this case, the developer is attempting to obtain major changes *without* having to submit a new PUD Plan and submit it to the scrutiny of the surrounding neighborhood. This is not possible. Repeal under “New Code” 13-403(a) cannot happen independently of a new PUD Plan approval under 13-403(b).

The “New Code” contains no required procedures, considerations, standards, findings, etc. for “Repeal.” The required procedures, considerations, standards, findings, etc. all relate to review and approval of a new PUD Plan, which must take place in order for “Repeal” to occur.



Moreover, "Repeal" without required procedures, considerations, standards, findings, etc. deprives affected property owners in the surrounding area of due process. Impacted neighbors must be duly notified, in the language of the statute, of their rights and responsibilities with respect to the evidence that must be presented at a quasi-judicial hearing.

When a single relaxation of operating hours requires a new PUD Plan and process as set forth in the Code, including proper hearing notice,<sup>2</sup> then wholesale lifting of all restrictions and limitations cannot be effected by a standalone "Repeal."

### **THE DEVELOPER MUST GO THROUGH THE MAJOR CHANGE PROCESS**

If this developer wishes to recover development rights that were freely and knowingly relinquished in 2014, there is a procedure that must first be followed. Fundamentally, **the proposed new Plan must be revealed** and then subjected to scrutiny. Without that, this "Repeal" Bill is at best not ripe for consideration.

I adopt by reference and incorporate herein at B my written testimony before the Planning Commission on this Bill.

Sincerely,



Joan L. Floyd

---

<sup>2</sup>However, in this case, the Bill itself, and the signage and advertisement for the hearing, all fail to even identify the subject properties. These basic violations of due process should prevent the Bill from being heard by the Land Use Committee.



**JOAN L. FLOYD**

2828 N. HOWARD STREET - BALTIMORE, MD 21218  
joanlfloyd@hotmail.com - 410-662-9104

3 November 2017

TOM STOSUR, Director  
Baltimore City Planning Department  
Via electronic mail

***Re: Remington Row - Bill 17-0143 - Proposed PUD "Repeal"***

Dear Mr. Stosur:

Below please find reasons why the Remington Row PUD should not be "repealed":

**The City Council is estopped by the "vesting" principle  
from repealing the Remington Row PUD**

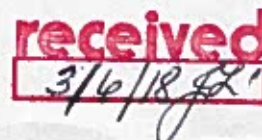
Pursuant to its enactment, the Remington Row PUD is a binding agreement between the developer and the City as to the development and use of the land within the PUD. The developer has acted upon this binding agreement, becoming vested in development that was made possible solely by the PUD. As a result, the City and surrounding residential neighborhood have become vested in the PUD.

**The 2014 enactment of the Remington Row PUD cannot be reversed,  
as vesting has occurred.**

By constructing (in 2015-2016) and occupying (in mid-2016) a new building at 2700 Remington Avenue *as authorized solely by the PUD*, the developer has become vested in the private benefits from the PUD's enactment, and has begun to reap those considerable benefits.

Not only has rental income resulted from the new building's occupancy since mid-2016, but public records show that for the first year of occupancy, *its assessed value for property tax purposes remained at the pre-construction level*. Instead of a \$20,000,000+ assessment that first year of occupancy (FY 2017), **the assessed value for property tax purposes was \$ 1,591,300.**

Moreover, while the following year (FY 2018) the assessment rose to \$20,000,000+ on which the property tax was \$473,493, for that year the developer enjoyed a "special" property





tax credit of \$332,200. The tax credit was based on the building's residential density, a feature made possible *solely by the PUD*.

**The City and surrounding residential neighborhood  
are vested in the PUD's public benefits.**

In order to obtain PUD authorization for the building now accruing rental income and tax credits at 2700 Remington Avenue, the developer agreed to certain items that may be characterized as the PUD's public benefits. Pursuant to the PUD's enactment, these public benefits became — and remain — a binding agreement between the developer and the City and surrounding residential neighborhood. These benefits include, but are not limited to:

- No additional residential development within the PUD
- No increase in development mass in Area C (the 7-11 site)
- Decreased pavement and increased green space in Area C (the 7-11 site)
- Limits on hours of operation
- Prohibited uses, including "Taverns"
- Limits on alcoholic beverage licenses

A repeal of the PUD would effect the loss of these public benefits.

Repeal would also open up the surrounding residential neighborhood to additional potential impacts, including a decrease in permanent off-street parking as increasing numbers of visitors add to parking congestion and demand.

**The presence of a City Council district boundary within the Remington Row PUD  
does not support repeal.**

It has been suggested that since a City Council district boundary runs through the PUD, the City Council member for one district is entitled to have the PUD repealed based on his current preferences for land development and use within that district's portion of the PUD. This is a fallacy.

The developer's obligations under the PUD are not bifurcated by a City Council district boundary. The entire land area within the PUD is regulated by it, and the neighborhood surrounding the PUD is impacted by it, regardless of political districting. Public benefits accrue to both districts. In the case of the Remington Row PUD, a new building was authorized in one City Council district based on public benefits promised to both districts, not just one.

There is a popular misunderstanding that a PUD enactment is based on the preferences of a City Council member or members. The PUD is a binding agreement between the developer and the City and surrounding neighborhood, not between the developer and a City Council member. A PUD's enactment carries a determination that all aspects of the development plan —





including its public benefits — are in the public interest and promote the health, safety and general welfare of the surrounding neighborhood. This public interest determination is not reversed on a whim.

**There is no alternative plan with improved public benefits.**

Arguably, any effort to overrule or defeat the premise that the existing PUD promotes the health, safety and general welfare of the surrounding neighborhood, would have to begin by placing at least an alternative plan — with better public benefits — under consideration. This alternative plan would have to be subjected to the same kind of public process and scrutiny as the original PUD.

The new public benefits could not take the form of a private agreement or arrangement. No symbiotic relationship between a developer and an organization could compensate for the loss of a PUD's binding public benefits.

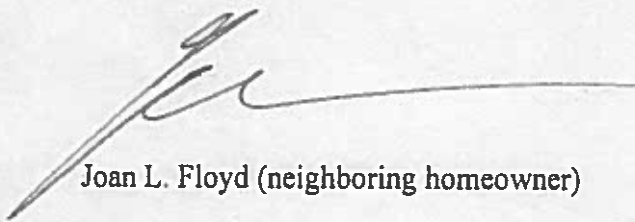
**The PUD was never destined for repeal.**

Finally, the Remington Row developer has publicly stated that at the time of original enactment there was an agreement, promise or understanding that the PUD would later be repealed.

No such arrangement, whether with a private entity or a public official, could ever have had any legitimacy. Anyone who encouraged the enactment of the Remington Row PUD *yet planned or intended for it to be repealed* was acting in bad faith.

Thank you for your consideration of these points and issues.

Sincerely,



Joan L. Floyd (neighboring homeowner)



**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 14-0379**

---

Introduced by: Councilmembers Clarke and Stokes  
At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC  
Address: c/o Evan Morville, 2601 North Howard Street, Suite 100, Baltimore, Maryland 21218  
Telephone: 443-602-7514  
Introduced and read first time: May 12, 2014  
Assigned to: Land Use and Transportation Committee  

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Committee Report: Favorable with amendments  
Council action: Adopted  

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Read second time: October 27, 2014

**AN ORDINANCE CONCERNING**

**Planned Unit Development – Designation – Remington Row**

FOR the purpose of approving the application of Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC (collectively, the "Applicant"), their affiliates and assigns, who are ~~either the developer, contract purchaser, potential owner and/or the owner~~ of the area consisting of the properties listed on Exhibit 1 attached hereto and made a part of this Ordinance, together with the adjoining roads, highways, alleys, rights-of-way, and other similar property (collectively, the "Properties"), to have the Properties designated a Business Planned Unit Development; approving the Development Plan submitted by the applicant, and providing for a special effective date.

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

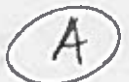
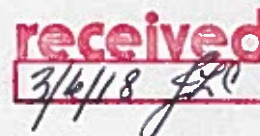
**Recitals**

The Applicant is ~~either the developer, contract purchaser, potential owner, or the owner~~ of the Properties shown on the accompanying Development Plan, consisting of 4.25 acres, more or less.

The owner proposes to develop the Properties for retail, residential, and office uses.

On April 11, 2014, 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.





Council Bill 14-0379

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 the Applicant to designate the Properties,  
7 consisting of 4.25 acres, more or less, as outlined on the accompanying Development Plan  
8 entitled "Remington Row", dated April 9, 2014, to designate the property a Business Planned  
9 Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the  
11 Applicant and consisting of the following sheets is approved:

12	Plan Number	Description	Date of Plan
13	<del>C1.1</del>	<del>Overall Existing Conditions Plan</del>	<del>April 9, 2014</del>
14	<del>C1.2</del>	<del>Overall Proposed Conditions Plan</del>	<del>April 30, 2014</del>
15	<del>C1.3</del>	<del>Existing Conditions Plan - 2700 Block</del>	<del>April 9, 2014</del>
16	<del>C1.4</del>	<del>Detail Site Plan - 2700 Block</del>	<del>April 30, 2014</del>
17	<del>C1.5</del>	<del>Existing Conditions Plan - 2800 Block</del>	<del>April 9, 2014</del>
18	<del>C1.6</del>	<del>Detail Site Plan - 2800 Block</del>	<del>April 30, 2014</del>
19	<del>A4.1</del>	<del>Building Elevations - 2700 Block</del>	<del>April 30, 2014</del>
20	<del>A4.2</del>	<del>Building Elevations - 2700 Block</del>	<del>April 30, 2014</del>
21	<del>A4.1</del>	<del>Building Elevations - 7 Eleven</del>	<del>April 9, 2014</del>
22	<del>A5.1</del>	<del>Building Height Exhibit - 2700 Block</del>	<del>April 9, 2014</del>
23	<del>A4.1</del>	<del>Building Elevations - 2800 Block</del>	<del>April 9, 2014</del>
24	<del>L1.0</del>	<del>Overall Landscape Plan</del>	<del>April 9, 2014</del>
25	<del>L1.1</del>	<del>Landscape Plan - 2700 Block</del>	<del>April 9, 2014</del>
26	<del>L1.2</del>	<del>Landscape Plan - 2800 Block</del>	<del>April 9, 2014.</del>
27	<u>C1.1</u>	<u>Overall Existing Conditions Plan</u>	<u>October 20, 2014</u>
28	<u>C1.2</u>	<u>Overall Proposed Conditions Plan</u>	<u>October 20, 2014</u>
29	<u>C1.3</u>	<u>Detail Site Plan - 2700 Block</u>	<u>October 20, 2014</u>
30	<u>C1.3A</u>	<u>Detail Parking Plan - Area A (Mezzanine)</u>	<u>October 20, 2014</u>
31	<u>C1.3B</u>	<u>Detail Parking Plan - Area A (Ground Floor)</u>	<u>October 20, 2014</u>
32	<u>C1.3C</u>	<u>Detail Parking Plan - Area A (P1)</u>	<u>October 20, 2014</u>
33	<u>C1.3D</u>	<u>Detail Parking Plan - Area A (P2)</u>	<u>October 20, 2014</u>
34	<u>C1.4</u>	<u>Detail Site Plan - Area B</u>	<u>October 20, 2014</u>
35	<u>C1.4A</u>	<u>Detail Parking Plan - 2800 Block (P1)</u>	<u>October 20, 2014</u>
36	<u>C1.4B</u>	<u>Detail Parking Plan - 2800 Block (P2)</u>	<u>October 20, 2014</u>
37	<u>A4.1</u>	<u>Building Elevations - 2700 Block</u>	<u>July 16, 2014</u>
38	<u>A4.2</u>	<u>Building Elevations - 2700 Block</u>	<u>July 16, 2014</u>
39	<u>A4.3</u>	<u>Building Elevations - 2800 Block</u>	<u>July 16, 2014</u>
40	<u>A4.4</u>	<u>Building Elevations - 7 Eleven</u>	<u>July 16, 2014</u>
41	<u>A5.1</u>	<u>Building Height Exhibit - 2700 Block</u>	<u>October 20, 2014</u>
42	<u>L1.0</u>	<u>Overall Landscape Plan</u>	<u>July 16, 2014</u>
43	<u>L1.1</u>	<u>Landscape Plan Enlargement - 2700 Block</u>	<u>July 16, 2014</u>
44	<u>L1.2</u>	<u>Landscape Plan Enlargement - 2800 Block</u>	<u>July 16, 2014.</u>





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1 SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title  
2 9, Subtitles 1 and 4, the following uses are permitted in all Areas within the Planned Unit  
3 Development:

4 (a) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning District  
5 with the following maximum retail hours of operation:

6 (1) Area A - 6:00 a.m. to 12:00 a.m. (midnight)

7 (2) Area B - 7:00 a.m. to 10:00 p.m., except that cafes and restaurants serving  
8 breakfast may open at 6:00 a.m., and restaurants may extend table service to no  
9 later than midnight

10 (3) Area C - 24 hours

11 (b) outdoor seating and table service as accessory to any permitted restaurant use

12 (c) beer and ale: brewing, not to exceed 20,000 square feet

13 (d) artisans' and craft work, subject to the following conditions per artisan and craft work  
14 company/tenant:

15 (1) no more than 2 employees plus 1 owner or manager on the premises;

16 (2) work is limited to items produced 1 at a time, with no machine on the site to  
17 facilitate mass production; and

18 (3) items are produced primarily for sale on the premises

19 (e) dry cleaning establishments - more than 4 employees, 1 manager on premises

20 ~~(f) dyeing establishments~~

21 ~~(f) (g) trade schools~~

22 ~~(h) trade schools: industrial~~

23 ~~(i) bakery goods: manufacturing~~

24 ~~(j) candy: manufacturing~~

25 ~~(g) (k) clothing, finished products: manufacturing~~

26 ~~(t) coffee roasting~~

27 ~~(h) (m) commissaries~~

28 ~~(n) fermented fruits and vegetable products: manufacturing~~

29 ~~(o) food products: manufacturing and processing~~





Council Bill 14-0379

- 1        ~~(p) ice cream: manufacturing~~
- 2        ~~(q) spices: manufacturing and processing~~
- 3        ~~(r) furniture and fixtures: manufacturing~~
- 4        ~~(s) jewelry: manufacturing~~
- 5        ~~(i) (t) laboratories: research and testing~~
- 6        ~~(u) leather products: manufacturing~~
- 7        ~~(v) machine shops~~
- 8        ~~(j) (w) moving and storage establishments~~
- 9        ~~(k) (x) photographic printing and developing establishments~~
- 10       ~~(l) (y) upholstering shops~~
- 11       ~~(m) (z) wholesale establishments~~
- 12       ~~(n) (aa) woodworking and furniture-making: custom~~

13       SECTION 4. AND BE IT FURTHER ORDAINED, That within the Planned Unit Development, the  
14       following uses are to be limited to Area B of the Development Plan:

- 15       (a) dying establishments
- 16       (b) trade schools: industrial
- 17       (c) bakery goods: manufacturing
- 18       (d) candy: manufacturing
- 19       (e) coffee roasting
- 20       (f) fermented fruits and vegetable products: processing
- 21       (g) food products: manufacturing and processing
- 22       (h) ice cream: manufacturing
- 23       (i) spices: manufacturing and processing
- 24       (j) furniture and fixtures: manufacturing
- 25       (k) jewelry: manufacturing



Council Bill 14-0379

1        (l) leather products: manufacturing

2        (m) machine shops.

3        **SECTION 4 5. AND BE IT FURTHER ORDAINED,** That within the Planned Unit Development  
4 the following alcoholic beverages licenses are permitted:

5        (a) a total of not more than 3 Class B beer, wine and liquor licenses; and

6        (b) a total of not more than 1 Class A beer, wine and liquor license, which in Area B may  
7        not, in the licensed establishment, include bulletproof security barriers between staff  
8        and customers, may not contain lottery machines, and must voluntarily agree to abide  
9        by 7:00 a.m. to 10:00 p.m. hours of operation.

10       **SECTION 5 6. AND BE IT FURTHER ORDAINED,** That the following additional use is permitted  
11 in Area B within the Planned Unit Development:

12       1 garage, other than accessory, for storage, repair, and servicing of motor vehicles not  
13 over 1½ tons capacity - including body repair, painting and engine rebuilding - located at  
14 301 West 29<sup>th</sup> Street. If the existing use at this location is discontinued ~~for a period of 6~~  
15 ~~months~~, the discontinuance shall constitute an abandonment of that use, and the use may  
16 not be reestablished.

17       **SECTION 7. AND BE IT FURTHER ORDAINED,** That 6 exterior trash cans are required in Area  
18 A.

19       **SECTION 6 8. AND BE IT FURTHER ORDAINED,** That the following uses are prohibited as  
20 principal, conditional, and accessory uses within the Planned Unit Development:

21       Firearm and ammunition sales  
22       Amusement arcades in shopping or commercial recreation centers over 20,000 square feet  
23       Amusement devices (accessory)  
24       Apartment hotels  
25       Athletic fields  
26       Automotive accessory stores  
27       Banquet halls  
28       Bed and breakfast homes  
29       Blood donor centers  
30       Bus and transit passenger stations and terminals  
31       Check cashing agencies  
32       Clubs and lodges: private, nonprofit  
33       Clubs and lodges: private  
34       Community correction centers  
35       Convalescent, nursing and rest homes  
36       Drug stores and pharmacies: drive-in  
37       dry cleaning establishment: drive-in  
38       Garages, which include body repair, painting, engine rebuilding, and storage regardless of  
39       the size of vehicles serviced (effective May 1, 2015)  
40       Gasoline service stations  
41       Fraternity and sorority houses: off-campus



Council Bill 14-0379

- 1 Helistops
- 2 Structures on piers
- 3 Marinas: accessory
- 4 Marinas: recreational
- 5 Marinas: recreational boat launch/tie up
- 6 Outside display and sales areas
- 7 Outside storage areas (unless specifically labeled on the Development Plan to the Planned
- 8 Unit Development)
- 9 Public utility uses as follows: antenna towers, microwave relay towers, and similar
- 10 installations for communications transmission or receiving; bus and transit
- 11 turnarounds; railroad rights of way and passenger stations; repeater, transformer,
- 12 pumping, booster, switching, conditioning, and regulations stations, and similar
- 13 installations
- 14 Radio and television antennas that are free-standing or that extend more than 25 feet
- 15 above the building on which they are mounted - but not including microwave
- 16 antennas (satellite dishes)
- 17 Recycling collection stations
- 18 Restaurants: drive-in
- 19 Residential substance abuse treatment facilities housing 17 or more patients
- 20 Rooming houses
- 21 Pawn shops
- 22 Parole and probation field offices
- 23 Poultry and rabbit killing establishments
- 24 Pool halls and billiard parlors
- 25 Public utility service centers
- 26 Social, fraternal and veterans' clubs
- 27 Taverns
- 28 Travel trailers, RV's and similar camping equipment: parking or storage
- 29 Undertaking establishments or funeral parlors
- 30 Video lottery facility

31 **SECTION 7 9. AND BE IT FURTHER ORDAINED,** That the existing billboards located within the  
32 Planned Unit Development shall be permitted to remain ~~and may be relocated within the Planned~~  
33 ~~Unit Development subject to approval by the Planning Commission~~ as allowed by Title 11 of the  
34 Zoning Code.

35 ~~**SECTION 8. AND BE IT FURTHER ORDAINED,** That when reviewing plans for final design~~  
36 ~~approval, the Planning Commission may take into consideration proposed uses that have~~  
37 ~~different peak parking characteristics that complement each other, so that the parking spaces~~  
38 ~~provided may reasonably be shared by proposed uses, and an excess of parking is not provided by~~  
39 ~~strict cumulation of the parking requirements of the Zoning Code.~~

40 **SECTION 9 10. AND BE IT FURTHER ORDAINED,** That all plans for the construction of  
41 permanent improvements on the property are subject to final design approval by the Planning  
42 Commission to insure that the plans are consistent with the Development Plan and this  
43 Ordinance.

44 ~~**SECTION 10 11. AND BE IT FURTHER ORDAINED,** That the Applicant must comply with the~~  
45 ~~requirements of Zoning Code § 2-305 and Building Code § 105.3.1.2 regarding traffic mitigation~~  
46 ~~for the Planned Unit Development prior to the issuance of any building permit.~~



Council Bill 14-0379

1        ~~SECTION 11 12.~~ AND BE IT FURTHER ORDAINED, That the Applicant must comply with the  
2 requirements of Building Code Chapter 37 {“Green Building” Requirements} and incorporate  
3 the required energy efficiency and environmental design elements into its construction plans  
4 prior to the issuance of any building permit.

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

8        SECTION 13. AND BE IT FURTHER ORDAINED, That on acquisition of the Properties by  
9 Miller’s Square, LLC, Miller’s Square Retail, LLC, or 211 W. 28<sup>th</sup> Street, LLC, or their  
10 successors and assigns the Properties shall be included as part of the Planned Unit Development.

11        SECTION 14. AND BE IT FURTHER ORDAINED, That the filing of (1) an appeal of this PUD or  
12 (2) an appeal of any building or occupancy permit issued in accordance with the PUD shall toll  
13 the time limits set forth in the Development Plan pending the conclusion of all appeals.

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

22        SECTION 16. AND BE IT FURTHER ORDAINED, That if any provision or part of any provision  
23 of this PUD shall for any reason be held invalid, illegal, or unenforceable in any respect, such  
24 invalidity or unenforceability shall not affect other provisions of this PUD, and this PUD shall be  
25 construed as if such invalid, illegal, or unenforceable provision or part thereof had never been  
26 contained herein, but only to the extent of its invalidity, illegality, or unenforceability.

27        SECTION 15 17. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date  
28 it is enacted.





**Council Bill 14-0379**

**Exhibit 1**

1

2 **Area A**

3	<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
4	3645	35/37	310 West 27 <sup>th</sup> Street
5	3645	34	2700 Remington Avenue
6	3645	33C	2718 Remington Avenue
7	3645	33B	2722 Remington Avenue
8	3645	33A	2724 Remington Avenue
9	3645	38	2727 Fox Street
10	3645	39	2729 Fox Street
11	3645	40	2731 Fox Street
12	3645	41	2733 Fox Street
13	3645	33	301 West 28 <sup>th</sup> Street

14 **Area B**

15	<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
16	3651	32/33	301/315 West 29 <sup>th</sup> Street

17 **Area C**

18	<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
19	3650B	32/33	211 West 28 <sup>th</sup> Street



**Coates, Jennifer**

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**From:** Joan Floyd <joanlfloyd@hotmail.com>  
**Sent:** Tuesday, March 06, 2018 1:36 PM  
**To:** Coates, Jennifer  
**Cc:** msimmons@bizjournals.com  
**Subject:** Written Testimony for Bill 17-0143  
**Attachments:** Written Testimony PUD Repeal.pdf

Ms. Coates:

Attached please find my written testimony for tomorrow's Land Use Committee hearing on Bill 17-0143.

I will send the two referenced Exhibits with separate e-mails, because of their size.

- Joan Floyd



**JOAN FLOYD**  
2828 N. HOWARD STREET  
BALTIMORE, MD 21218  
Resident Homeowner

**WRITTEN TESTIMONY ON BILL 17-0143 - "Repeal of Ordinance 14-314"  
BEFORE THE BALTIMORE CITY COUNCIL LAND USE COMMITTEE**

**PRIOR CITY COUNCIL ACTION REGARDING THESE PROPERTIES**

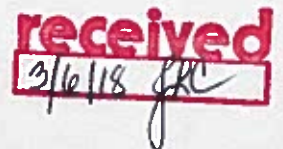
In late 2014 this developer willingly and knowingly accepted certain requirements and limitations on the development of these properties, in exchange for the right to build the new building that now stands at 2700 Remington Avenue. The PUD needed a minimum of 2 acres of property, which was achieved by the inclusion of the 7-11 site (Area C). The accepted requirements and limitations, which covered both operations and construction throughout the 2+ acres, constituted a "binding agreement" as to what would happen even beyond 2026, the time when the 7-11 building would be repurposed and some impervious surface removed. There was no public discussion of "repealing" the PUD and having it operate as a mere "interim" measure to authorize a particular structure, instead of the binding agreement that it is.

In late 2016 this developer accepted C-2 and I-MU zoning for these properties on the "New Map," knowing full well that the properties were controlled not by these new categories but by the PUD; that the "New Code" required pre-existing PUDs to be maintained; and that major changes, such as changes to the accepted development and operating limitations and requirements, would require submission of a proposed replacement Plan and a rigorous review and approval process. Again, there was no public discussion of "repealing" the PUD so as to benefit from new zoning categories, instead of having to go through the "major change" process.

The PUD is something the surrounding neighborhood is supposed to be able to rely on, that surrounding properties owners are supposed to be able to rely on when we make our own plans. It is a binding agreement and we are supposed to be beneficiaries of the limitations and requirements of that binding agreement.

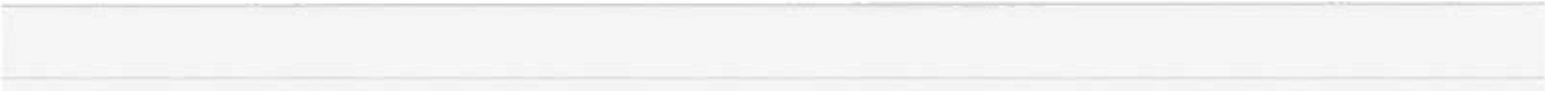
**THE "NEW MAP" DESIGNATIONS ARE NOT FINAL**

A major premise of this Bill is that the low-density B-3-2 zoning of these properties has been replaced with C-2 and I-MU zoning, which are high-density housing categories. B-3-2 allows 40 units per acre; C-2 allows 194 units per acre and I-MU allows 145 units per acre. But these zoning changes for these properties are not even final.





berikan



First, the entire “New Map” is under a class-action challenge which is making its way through the Maryland courts. The judicial process takes time; the ultimate outcome may be that the Maryland courts agree that the “New Map” was unlawfully enacted, and the zoning of these properties is still B-3-2 (and R-9), because due process requirements were not satisfied.

Secondly, as important information about these properties was withheld at the time the “New Map” was adopted, namely the developer’s intention to have the PUD “repealed” instead of adhering to it, there is a bona fide “mistake” in the C-2 and I-MU zoning of these properties.

### **EVEN UNDER A “NEW MAP” PRE-EXISTING PUDS REMAIN IN EFFECT**

The original “transition rules” for PUDs in the “New Code” stated, “Previously approved residential, office-residential, business, and industrial planned unit developments remain valid and must continue to comply with all requirements and conditions of their initial approval, including all Code regulations in effect immediately preceding the effective date of this Code.” [13-102(a)] It now reads, “Residential, office-residential, business, and industrial planned unit developments approved before the effective date of this Code (June 5, 2017) remain valid as long as they continue to comply with all requirements and conditions of their approvals and of the Zoning Code regulations in effect immediately preceding that effective date.”<sup>1</sup>

In other words, it was the legislative intent that pre-existing PUDs would not be invalidated or rendered obsolete by any “New Map.”

### **REPEAL WOULD EFFECT MAJOR CHANGES**

Under both the “Old Code” and “New Code,” major changes to a PUD cannot be made without City Council approval of a new PUD Plan. Under both codes, the changes this Bill effects are major and require City Council approval of a new PUD Plan. The “New Code” lists several major changes this Bill would effect:

- 13-403(a)(1): an increase of 10% in the approved number of dwelling units  
*This PUD is already maxed out at 108 units; repeal will allow that number to triple.*
- 13-403(a)(2): an increase of 10% in the maximum building heights  
*This structures in this PUD are already at maximum floor area, and the building on the 7-11 site is capped at one story; repeal will allow new construction up to 100 feet.*
- 13-403(a)(3): a change in the type, location, or arrangement of land use within the development

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<sup>1</sup> A non-substantive change under “corrective” Ord. 17-0015.





*Areas of this PUD are set aside for non-residential use, and for open space; repeal will allow these to be replaced by multi-family residential structures. The areas of this PUD set aside for parking are insufficient for the current demand, especially the demand created by the restaurant; repeal will allow parking to be replaced by commercial space, thereby increasing demand while reducing supply. And repeal will give this PUD a much lower off-street parking requirement for restaurants.*

- 13-403(a)(5): a decrease in open space that had been included as a public benefit  
*The 7-11 site in particular was planned as a relatively open area with decreased impervious surface; however, the developer has added impervious surface to the site, and repeal will allow the site to be built out to the property line.*
- 13-403(a)(6)(C-D): a change that violates a condition of approval attached to the planned unit development or a provision of the ordinance that approved the planned unit development  
*The PUD expressly limited hours of business operation, in deference to surrounding residences; repeal would eliminate those restrictions. Also in deference to surrounding residences, the PUD expressly prohibited many uses, including Outdoor Sales and Taverns, throughout the 2+ acres; repeal would eliminate those prohibitions. The PUD expressly limited the number and types of alcoholic beverage licensed establishments; repeal would eliminate those limitations. See text of PUD Ord. 14-314, attached at A and incorporated herein.*

Each of these changes, by itself, requires City Council review and approval of a new PUD Plan.

### MAJOR CHANGES REQUIRE A NEW PUD PLAN

It is legislative intent that a major change to a PUD as a “binding agreement” is difficult to obtain. Under “New Code” 13-403(b), a major change requires “introduction and enactment of an ordinance to approve a new planned unit development and PUD master plan.”

In this case, the developer is attempting to obtain major changes *without* having to submit a new PUD Plan and submit it to the scrutiny of the surrounding neighborhood. This is not possible. Repeal under “New Code” 13-403(a) cannot happen independently of a new PUD Plan approval under 13-403(b).

The “New Code” contains no required procedures, considerations, standards, findings, etc. for “Repeal.” The required procedures, considerations, standards, findings, etc. all relate to review and approval of a new PUD Plan, which must take place in order for “Repeal” to occur.



Moreover, "Repeal" without required procedures, considerations, standards, findings, etc. deprives affected property owners in the surrounding area of due process. Impacted neighbors must be duly notified, in the language of the statute, of their rights and responsibilities with respect to the evidence that must be presented at a quasi-judicial hearing.

When a single relaxation of operating hours requires a new PUD Plan and process as set forth in the Code, including proper hearing notice,<sup>2</sup> then wholesale lifting of all restrictions and limitations cannot be effected by a standalone "Repeal."

### **THE DEVELOPER MUST GO THROUGH THE MAJOR CHANGE PROCESS**

If this developer wishes to recover development rights that were freely and knowingly relinquished in 2014, there is a procedure that must first be followed. Fundamentally, **the proposed new Plan must be revealed** and then subjected to scrutiny. Without that, this "Repeal" Bill is at best not ripe for consideration.

I adopt by reference and incorporate herein at B my written testimony before the Planning Commission on this Bill.

Sincerely,



Joan L. Floyd

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<sup>2</sup>However, in this case, the Bill itself, and the signage and advertisement for the hearing, all fail to even identify the subject properties. These basic violations of due process should prevent the Bill from being heard by the Land Use Committee.



**Coates, Jennifer**

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**From:** Joan Floyd <joanlfloyd@hotmail.com>  
**Sent:** Tuesday, March 06, 2018 1:44 PM  
**To:** Coates, Jennifer  
**Cc:** msimmons@bizjournals.com  
**Subject:** Exhibit A to Written Testimony  
**Attachments:** PUD Repeal Exhibit A.pdf

Ms. Coates:

Here is Exhibit A of my written testimony.

- Joan Floyd





**CITY OF BALTIMORE  
ORDINANCE  
Council Bill 14-0379**

Introduced by: Councilmembers Clarke and Stokes

At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC

Address: c/o Evan Morville, 2601 North Howard Street, Suite 100, Baltimore, Maryland 21218  
Telephone: 443-602-7514

Introduced and read first time: May 12, 2014

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 27, 2014

**AN ORDINANCE CONCERNING**

**Planned Unit Development -- Designation -- Remington Row**

FOR the purpose of approving the application of Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC (collectively, the "Applicant"), their affiliates and assigns, who are ~~either the developer, contract purchaser, potential owner and/or the owner~~ of the area consisting of the properties listed on Exhibit 1 attached hereto and made a part of this Ordinance, together with the adjoining roads, highways, alleys, rights-of-way, and other similar property (collectively, the "Properties"), to have the Properties designated a Business Planned Unit Development, approving the Development Plan submitted by the applicant, and providing for a special effective date.

BY authority of

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

**Recitals**

The Applicant is ~~either the developer, contract purchaser, potential owner, or the owner~~ of the Properties shown on the accompanying Development Plan, consisting of 4.25 acres, more or less.

The owner proposes to develop the Properties for retail, residential, and office uses.

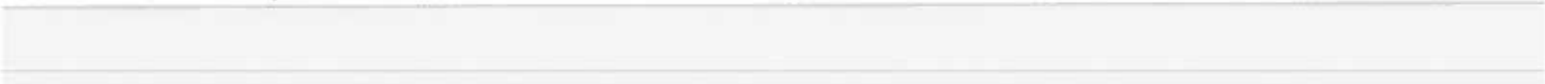
On April 11, 2014, representatives of the Applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the Property and to institute proceedings to have the Property designated a Business Planned Unit Development.

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.





1000



## Council Bill 14-0379

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 the Applicant to designate the Properties,  
7 consisting of 4.25 acres, more or less, as outlined on the accompanying Development Plan  
8 entitled "Remington Row", dated April 9, 2014, to designate the property a Business Planned  
9 Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the  
11 Applicant and consisting of the following sheets is approved:

12	Plan Number	Description	Date of Plan
13	C1.1	Overall Existing Conditions Plan	April 9, 2014
14	C1.2	Overall Proposed Conditions Plan	April 30, 2014
15	C1.3	Existing Conditions Plan - 2700 Block	April 9, 2014
16	C1.4	Detail Site Plan - 2700 Block	April 30, 2014
17	C1.5	Existing Conditions Plan - 2800 Block	April 9, 2014
18	C1.6	Detail Site Plan - 2800 Block	April 30, 2014
19	A4.1	Building Elevations - 2700 Block	April 30, 2014
20	A4.2	Building Elevations - 2700 Block	April 30, 2014
21	A4.1	Building Elevations - 7-Eleven	April 9, 2014
22	A5.1	Building Height Exhibit - 2700 Block	April 9, 2014
23	A4.1	Building Elevations - 2800 Block	April 9, 2014
24	L1.0	Overall Landscape Plan	April 9, 2014
25	L1.1	Landscape Plan - 2700 Block	April 9, 2014
26	L1.2	Landscape Plan - 2800 Block	April 9, 2014
27	<u>C1.1</u>	<u>Overall Existing Conditions Plan</u>	<u>October 20, 2014</u>
28	<u>C1.2</u>	<u>Overall Proposed Conditions Plan</u>	<u>October 20, 2014</u>
29	<u>C1.3</u>	<u>Detail Site Plan - 2700 Block</u>	<u>October 20, 2014</u>
30	<u>C1.3A</u>	<u>Detail Parking Plan - Area A (Mezzanine)</u>	<u>October 20, 2014</u>
31	<u>C1.3B</u>	<u>Detail Parking Plan - Area A (Ground Floor)</u>	<u>October 20, 2014</u>
32	<u>C1.3C</u>	<u>Detail Parking Plan - Area A (P1)</u>	<u>October 20, 2014</u>
33	<u>C1.3D</u>	<u>Detail Parking Plan - Area A (P2)</u>	<u>October 20, 2014</u>
34	<u>C1.4</u>	<u>Detail Site Plan - Area B</u>	<u>October 20, 2014</u>
35	<u>C1.4A</u>	<u>Detail Parking Plan - 2800 Block (P1)</u>	<u>October 20, 2014</u>
36	<u>C1.4B</u>	<u>Detail Parking Plan - 2800 Block (P2)</u>	<u>October 20, 2014</u>
37	<u>A4.1</u>	<u>Building Elevations - 2700 Block</u>	<u>July 16, 2014</u>
38	<u>A4.2</u>	<u>Building Elevations - 2700 Block</u>	<u>July 16, 2014</u>
39	<u>A4.3</u>	<u>Building Elevations - 2800 Block</u>	<u>July 16, 2014</u>
40	<u>A4.4</u>	<u>Building Elevations - 7 Eleven</u>	<u>July 16, 2014</u>
41	<u>A5.1</u>	<u>Building Height Exhibit - 2700 Block</u>	<u>October 20, 2014</u>
42	<u>L1.0</u>	<u>Overall Landscape Plan</u>	<u>July 16, 2014</u>
43	<u>L1.1</u>	<u>Landscape Plan Enlargement - 2700 Block</u>	<u>July 16, 2014</u>
44	<u>L1.2</u>	<u>Landscape Plan Enlargement - 2800 Block</u>	<u>July 16, 2014.</u>



Council Bill 14-0379

1 SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the provisions of Title  
2 9, Subtitles 1 and 4, the following uses are permitted in all Areas within the Planned Unit  
3 Development:

4 (a) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning District  
5 with the following maximum retail hours of operation:

6 (1) Area A - 6:00 a.m. to 12:00 a.m. (midnight)

7 (2) Area B - 7:00 a.m. to 10:00 p.m., except that cafes and restaurants serving  
8 breakfast may open at 6:00 a.m., and restaurants may extend table service to no  
9 later than midnight

10 (3) Area C - 24 hours

11 (b) outdoor seating and table service as accessory to any permitted restaurant use

12 (c) beer and ale: brewing, not to exceed 20,000 square feet

13 (d) artisans' and craft work, subject to the following conditions per artisan and craft work  
14 company/tenant:

15 (1) no more than 2 employees plus 1 owner or manager on the premises;

16 (2) work is limited to items produced 1 at a time, with no machine on the site to  
17 facilitate mass production; and

18 (3) items are produced primarily for sale on the premises

19 (e) dry cleaning establishments - more than 4 employees, 1 manager on premises

20 ~~(f) dyeing establishments~~

21 ~~(f) (g) trade schools~~

22 ~~(h) trade schools: industrial~~

23 ~~(i) bakery goods: manufacturing~~

24 ~~(j) candy: manufacturing~~

25 ~~(g) (k) clothing, finished products: manufacturing~~

26 ~~(h) coffee roasting~~

27 ~~(h) (m) commissaries~~

28 ~~(n) fermented fruits and vegetable products: manufacturing~~

29 ~~(o) food products: manufacturing and processing~~



Council Bill 14-0379

- 1        ~~(p) ice cream: manufacturing~~
- 2        ~~(q) spices: manufacturing and processing~~
- 3        ~~(r) furniture and fixtures: manufacturing~~
- 4        ~~(s) jewelry: manufacturing~~
- 5        ~~(i) (t) laboratories: research and testing~~
- 6        ~~(u) leather products: manufacturing~~
- 7        ~~(v) machine shops~~
- 8        ~~(j) (w) moving and storage establishments~~
- 9        ~~(k) (x) photographic printing and developing establishments~~
- 10       ~~(l) (y) upholstering shops~~
- 11       ~~(m) (z) wholesale establishments~~
- 12       ~~(n) (aa) woodworking and furniture-making: custom~~

13       **SECTION 4. AND BE IT FURTHER ORDAINED, That within the Planned Unit Development, the**  
14       **following uses are to be limited to Area B of the Development Plan:**

- 15       (a) dying establishments
- 16       (b) trade schools: industrial
- 17       (c) bakery goods: manufacturing
- 18       (d) candy: manufacturing
- 19       (e) coffee roasting
- 20       (f) fermented fruits and vegetable products: processing
- 21       (g) food products: manufacturing and processing
- 22       (h) ice cream: manufacturing
- 23       (i) spices: manufacturing and processing
- 24       (j) furniture and fixtures: manufacturing
- 25       (k) jewelry: manufacturing



Council Bill 14-0379

1 (l) leather products: manufacturing

2 (m) machine shops.

3 SECTION 4 5. AND BE IT FURTHER ORDAINED, That within the Planned Unit Development  
4 the following alcoholic beverages licenses are permitted:

5 (a) a total of not more than 3 Class B beer, wine and liquor licenses; and

6 (b) a total of not more than 1 Class A beer, wine and liquor license, which in Area B may  
7 not, in the licensed establishment, include bulletproof security barriers between staff  
8 and customers, may not contain lottery machines, and must voluntarily agree to abide  
9 by 7:00 a.m. to 10:00 p.m. hours of operation.

10 SECTION 5 6. AND BE IT FURTHER ORDAINED, That the following additional use is permitted  
11 in Area B within the Planned Unit Development:

12 1 garage, other than accessory, for storage, repair, and servicing of motor vehicles not  
13 over 1½ tons capacity - including body repair, painting and engine rebuilding - located at  
14 301 West 29<sup>th</sup> Street. If the existing use at this location is discontinued for a period of 6  
15 months, the discontinuance shall constitute an abandonment of that use, and the use may  
16 not be reestablished.

17 SECTION 7. AND BE IT FURTHER ORDAINED, That 6 exterior trash cans are required in Area  
18 A.

19 SECTION 6 8. AND BE IT FURTHER ORDAINED, That the following uses are prohibited as  
20 principal, conditional, and accessory uses within the Planned Unit Development:

21 Firearm and ammunition sales  
22 Amusement arcades in shopping or commercial recreation centers over 20,000 square feet  
23 Amusement devices (accessory)  
24 Apartment hotels  
25 Athletic fields  
26 Automotive accessory stores  
27 Banquet halls  
28 Bed and breakfast homes  
29 Blood donor centers  
30 Bus and transit passenger stations and terminals  
31 Check cashing agencies  
32 Clubs and lodges: private, nonprofit  
33 Clubs and lodges: private  
34 Community correction centers  
35 Convalescent, nursing and rest homes  
36 Drug stores and pharmacies: drive-in  
37 dry cleaning establishment: drive-in  
38 Garages, which include body repair, painting, engine rebuilding, and storage regardless of  
39 the size of vehicles serviced (effective May 1, 2015)  
40 Gasoline service stations  
41 Fraternity and sorority houses: off-campus





Council Bill 14-0379

- 1 Helistops
- 2 Structures on piers
- 3 Marinas: accessory
- 4 Marinas: recreational
- 5 Marinas: recreational boat launch/tie up
- 6 Outside display and sales areas
- 7 Outside storage areas (unless specifically labeled on the Development Plan to the Planned
- 8 Unit Development)
- 9 Public utility uses as follows: antenna towers, microwave relay towers, and similar
- 10 installations for communications transmission or receiving; bus and transit
- 11 turnarounds; railroad rights of way and passenger stations; repeater, transformer,
- 12 pumping, booster, switching, conditioning, and regulations stations, and similar
- 13 installations
- 14 Radio and television antennas that are free-standing or that extend more than 25 feet
- 15 above the building on which they are mounted - but not including microwave
- 16 antennas (satellite dishes)
- 17 Recycling collection stations
- 18 Restaurants: drive-in
- 19 Residential substance abuse treatment facilities housing 17 or more patients
- 20 Rooming houses
- 21 Pawn shops
- 22 Parole and probation field offices
- 23 Poultry and rabbit killing establishments
- 24 Pool halls and billiard parlors
- 25 Public utility service centers
- 26 Social, fraternal and veterans' clubs
- 27 Taverns
- 28 Travel trailers, RV's and similar camping equipment: parking or storage
- 29 Undertaking establishments or funeral parlors
- 30 Video lottery facility

31 **SECTION 7 9. AND BE IT FURTHER ORDAINED,** That the existing billboards located within the  
32 Planned Unit Development shall be permitted to remain ~~and may be relocated within the Planned~~  
33 ~~Unit Development subject to approval by the Planning Commission as allowed by Title 11 of the~~  
34 Zoning Code.

35 ~~**SECTION 8. AND BE IT FURTHER ORDAINED,** That when reviewing plans for final design~~  
36 ~~approval, the Planning Commission may take into consideration proposed uses that have~~  
37 ~~different peak parking characteristics that complement each other, so that the parking spaces~~  
38 ~~provided may reasonably be shared by proposed uses, and an excess of parking is not provided by~~  
39 ~~strict cumulation of the parking requirements of the Zoning Code.~~

40 **SECTION 9 10. AND BE IT FURTHER ORDAINED,** That all plans for the construction of  
41 permanent improvements on the property are subject to final design approval by the Planning  
42 Commission to insure that the plans are consistent with the Development Plan and this  
43 Ordinance.

44 ~~**SECTION 10 11. AND BE IT FURTHER ORDAINED,** That the Applicant must comply with the~~  
45 ~~requirements of Zoning Code § 2-305 and Building Code § 105.3.1.2 regarding traffic mitigation~~  
46 ~~for the Planned Unit Development prior to the issuance of any building permit.~~



Council Bill 14-0379

1        **SECTION 11 12. AND BE IT FURTHER ORDAINED,** That the Applicant must comply with the  
2 requirements of Building Code Chapter 37 {"Green Building" Requirements"} and incorporate  
3 the required energy efficiency and environmental design elements into its construction plans  
4 prior to the issuance of any building permit.

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

8        **SECTION 13. AND BE IT FURTHER ORDAINED,** That on acquisition of the Properties by  
9 Miller's Square, LLC, Miller's Square Retail, LLC, or 211 W. 28<sup>th</sup> Street, LLC, or their  
10 successors and assigns the Properties shall be included as part of the Planned Unit Development.

11        **SECTION 14. AND BE IT FURTHER ORDAINED,** That the filing of (1) an appeal of this PUD or  
12 (2) an appeal of any building or occupancy permit issued in accordance with the PUD shall toll  
13 the time limits set forth in the Development Plan pending the conclusion of all appeals.

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

22        **SECTION 16. AND BE IT FURTHER ORDAINED,** That if any provision or part of any provision  
23 of this PUD shall for any reason be held invalid, illegal, or unenforceable in any respect, such  
24 invalidity or unenforceability shall not affect other provisions of this PUD, and this PUD shall be  
25 construed as if such invalid, illegal, or unenforceable provision or part thereof had never been  
26 contained herein, but only to the extent of its invalidity, illegality, or unenforceability.

27        ~~**SECTION 15 17. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date~~  
28 it is enacted.



**Council Bill 14-0379**

**Exhibit 1**

1

2 **Area A**

3	<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
4	3645	35/37	310 West 27 <sup>th</sup> Street
5	3645	34	2700 Remington Avenue
6	3645	33C	2718 Remington Avenue
7	3645	33B	2722 Remington Avenue
8	3645	33A	2724 Remington Avenue
9	3645	38	2727 Fox Street
10	3645	39	2729 Fox Street
11	3645	40	2731 Fox Street
12	3645	41	2733 Fox Street
13	3645	33	301 West 28 <sup>th</sup> Street

14 **Area B**

15	<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
16	3651	32/33	301/315 West 29 <sup>th</sup> Street

17 **Area C**

18	<u>Block</u>	<u>Lot</u>	<u>Street Address</u>
19	3650B	32/33	211 West 28 <sup>th</sup> Street



**Coates, Jennifer**

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**From:** Joan Floyd <joanfloyd@hotmail.com>  
**Sent:** Tuesday, March 06, 2018 1:46 PM  
**To:** Coates, Jennifer  
**Cc:** msimmons@bizjournals.com  
**Subject:** Exhibit B of Written Testimony  
**Attachments:** PUD Repeal Exhibit B.pdf

Ms. Coates:

Here is Exhibit B of my written testimony.

Please acknowledge receipt of all three documents, and please indicate when and how they will be distributed to the Committee members.

Thank you.

- Joan Floyd

received  
3/6/18 JRC





**JOAN L. FLOYD**

2828 N. HOWARD STREET - BALTIMORE, MD 21218  
joanlfloyd@hotmail.com - 410-662-9104

3 November 2017

TOM STOSUR, Director  
Baltimore City Planning Department  
Via electronic mail

***Re: Remington Row - Bill 17-0143 - Proposed PUD "Repeal"***

Dear Mr. Stosur:

Below please find reasons why the Remington Row PUD should not be "repealed":

**The City Council is estopped by the "vesting" principle  
from repealing the Remington Row PUD**

Pursuant to its enactment, the Remington Row PUD is a binding agreement between the developer and the City as to the development and use of the land within the PUD. The developer has acted upon this binding agreement, becoming vested in development that was made possible solely by the PUD. As a result, the City and surrounding residential neighborhood have become vested in the PUD.

**The 2014 enactment of the Remington Row PUD cannot be reversed,  
as vesting has occurred.**

By constructing (in 2015-2016) and occupying (in mid-2016) a new building at 2700 Remington Avenue *as authorized solely by the PUD*, the developer has become vested in the private benefits from the PUD's enactment, and has begun to reap those considerable benefits.

Not only has rental income resulted from the new building's occupancy since mid-2016, but public records show that for the first year of occupancy, *its assessed value for property tax purposes remained at the pre-construction level*. Instead of a \$20,000,000+ assessment that first year of occupancy (FY 2017), **the assessed value for property tax purposes was \$ 1,591,300.**

Moreover, while the following year (FY 2018) the assessment rose to \$20,000,000+ on which the property tax was \$473,493, for that year the developer enjoyed a "special" property

B



tax credit of \$332,200. The tax credit was based on the building's residential density, a feature made possible *solely by the PUD*.

**The City and surrounding residential neighborhood  
are vested in the PUD's public benefits.**

In order to obtain PUD authorization for the building now accruing rental income and tax credits at 2700 Remington Avenue, the developer agreed to certain items that may be characterized as the PUD's public benefits. Pursuant to the PUD's enactment, these public benefits became — and remain — a binding agreement between the developer and the City and surrounding residential neighborhood. These benefits include, but are not limited to:

- No additional residential development within the PUD
- No increase in development mass in Area C (the 7-11 site)
- Decreased pavement and increased green space in Area C (the 7-11 site)
- Limits on hours of operation
- Prohibited uses, including "Taverns"
- Limits on alcoholic beverage licenses

A repeal of the PUD would effect the loss of these public benefits.

Repeal would also open up the surrounding residential neighborhood to additional potential impacts, including a decrease in permanent off-street parking as increasing numbers of visitors add to parking congestion and demand.

**The presence of a City Council district boundary within the Remington Row PUD  
does not support repeal.**

It has been suggested that since a City Council district boundary runs through the PUD, the City Council member for one district is entitled to have the PUD repealed based on his current preferences for land development and use within that district's portion of the PUD. This is a fallacy.

The developer's obligations under the PUD are not bifurcated by a City Council district boundary. The entire land area within the PUD is regulated by it, and the neighborhood surrounding the PUD is impacted by it, regardless of political districting. Public benefits accrue to both districts. In the case of the Remington Row PUD, a new building was authorized in one City Council district based on public benefits promised to both districts, not just one.

There is a popular misunderstanding that a PUD enactment is based on the preferences of a City Council member or members. The PUD is a binding agreement between the developer and the City and surrounding neighborhood, not between the developer and a City Council member. A PUD's enactment carries a determination that all aspects of the development plan —



including its public benefits — are in the public interest and promote the health, safety and general welfare of the surrounding neighborhood. This public interest determination is not reversed on a whim.

**There is no alternative plan with improved public benefits.**

Arguably, any effort to overrule or defeat the premise that the existing PUD promotes the health, safety and general welfare of the surrounding neighborhood, would have to begin by placing at least an alternative plan — with better public benefits — under consideration. This alternative plan would have to be subjected to the same kind of public process and scrutiny as the original PUD.

The new public benefits could not take the form of a private agreement or arrangement. No symbiotic relationship between a developer and an organization could compensate for the loss of a PUD's binding public benefits.

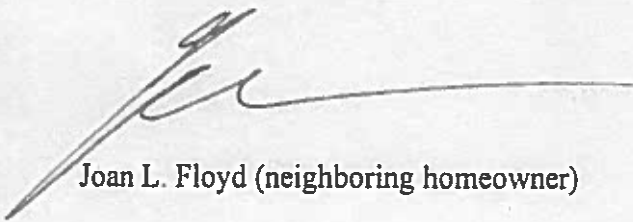
**The PUD was never destined for repeal.**

Finally, the Remington Row developer has publicly stated that at the time of original enactment there was an agreement, promise or understanding that the PUD would later be repealed.

No such arrangement, whether with a private entity or a public official, could ever have had any legitimacy. Anyone who encouraged the enactment of the Remington Row PUD *yet planned or intended for it to be repealed* was acting in bad faith.

Thank you for your consideration of these points and issues.

Sincerely,



Joan L. Floyd (neighboring homeowner)



# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Minutes - Final

### Land Use and Transportation Committee

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Wednesday, March 7, 2018

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

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17-0143

Rescheduled from 2/14/18

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

**Present** 7 - Member Edward Reisinger, Member Sharon Green Middleton, Member Mary Pat Clarke, Member Eric T. Costello, Member Ryan Dorsey, Member Leon F. Pinkett III, and Member Robert Stokes Sr.

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

17-0143

##### **Repeal of Ordinance 14-314 - Remington Row Planned Unit Development**

For the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

**Sponsors:** Robert Stokes, Sr., President Young

A motion was made by Member Stokes, Sr., seconded by Member Costello, that the bill be recommended favorably.. The motion carried by the following vote:

**Yes:** 6 - Member Reisinger, Member Middleton, Member Costello, Member Dorsey, Member Pinkett III, and Member Stokes Sr.

**Abstain, COI:** 1 - Member Clarke

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**







**HEARING NOTES**

**Bill: 17-0143**

**Repeal of Ordinance 14-314 - Remington Row Planned Unit Development**

**Committee:** Land Use and Transportation  
**Chaired By:** Councilmember Edward Reisinger

**Hearing Date:** March 7, 2018  
**Time (Beginning):** 1:00 PM  
**Time (Ending):** 1:35 PM  
**Location:** Clarence "Du" Burns Chamber  
**Total Attendance:** ~35  
**Committee Members in Attendance:**  
Reisinger, Edward, Chairman  
Middleton, Sharon, Vice Chair  
Clarke, Mary Pat  
Costello, Eric  
Dorsey, Ryan  
Pinkett, Leon  
Stokes, Robert

**Bill Synopsis in the file?** .....  yes  no  n/a  
**Attendance sheet in the file?** .....  yes  no  n/a  
**Agency reports read?** .....  yes  no  n/a  
**Hearing televised or audio-digitally recorded?**.....  yes  no  n/a  
**Certification of advertising/posting notices in the file?** .....  yes  no  n/a  
**Evidence of notification to property owners?** .....  yes  no  n/a  
**Final vote taken at this hearing?** .....  yes  no  n/a  
**Motioned by:** ..... Councilmember Stokes, Robert  
**Seconded by:** ..... Councilmember Costello, Eric  
**Final Vote:** ..... Favorable



**Major Speakers**  
(This is not an attendance record.)

- Ms. Christina Hartsfield, Department of Planning
  - Ms. Eleana DiPietro, Department of Law
  - Mr. Gaylord Dutton, Baltimore Development Corporation
  - Ms. Katelyn McCauley, Department of Transportation
  - Mr. Derrick Baumgardner, Board of Municipal Zoning Appeals
  - Ms. Kristen Oldendorf, Department of Public Works
  - Ms. Sharon DaBoin, Department of Housing and Community Development
  - Mr. Kyron Banks, Office of the Mayor/Fire Department
  - Ms. Caroline Hecker, Representative, Property Owner
  - Mr. Douglass Armstrong, Neighborhood Resident
  - Ms. Joan Floyd, Neighborhood Resident
  - Ms. Shannon Conway, Neighborhood Resident
- 

**Major Issues Discussed**

1. Ms. Hartsfield confirmed the Planning Commission's recommendation that the bill be passed. She presented background information about the bill explaining that at the time the original bill for the creation of the PUD was introduced the City was just beginning its comprehensive rezoning process (Transform Baltimore. The original bill allowed the developer to move forward with its development plans for the area.
  2. Agency representatives testified in support of their respective agency's position on the bill.
  3. Ms. Caroline Hecker spoke about use of the property.
  4. Mr. Douglass Armstrong, a neighborhood representative, testified in opposition to the bill. He was also representing other neighborhood residents that are in opposition to the bill. He read and submitted a letter from Mr. Matthew Petrus in opposition to the bill.
  5. Ms. Joan Floyd, a neighborhood representative, testified in opposition to passage of the bill. Ms. Floyd submitted written testimony.
  6. Ms. Caroline Hecker testified in support of the bill.
  7. Councilwoman Clarke provided written testimony and testified about changes that would occur if the bill is repealed.
  8. The committee voted to recommend the bill favorably. The motion passed.
- 

**Further Study**

Was further study requested?

Yes  No

If yes, describe.

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**Committee Vote:**

Reisinger, Edward, Chairman..... **Yea**  
Middleton, Sharon, Vice Chair..... **Yea**  
Clarke, Mary Pat..... **Yea**  
Costello, Eric..... **Yea**  
Dorsey, Ryan..... **Yea**  
Pinkett, Leon..... **Yea**  
Stokes, Robert:..... **Yea**

---

Jennifer L. Coates, Committee Staff  
cc: Bill File  
OCS Chrono File



Date: March 6, 2017





# CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation	Chairperson: Edward Reisinger
Date: March 7, 2018	Time: 1:00 PM
Place: Clarence "Du" Burns Chambers	
Subject: Ordinance - Repeal of Ordinance 14-314 - Remington Row Planned Unit Development	
CC Bill Number: 17-0143	

PLEASE PRINT							WHAT IS YOUR POSITION ON THIS BILL?		(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY	
FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS		FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<b>TESTIFY</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>Shannon</del>	<del>Conway</del>		<del>GR 1A</del>		<del>shannon@gricoonline.org</del>					
<del>Caroline</del>	<del>Hickler</del>		<del>25 J. Charles St.</del>	<del>21201</del>	<del>checke@reynbergmanning.com</del>				<input checked="" type="checkbox"/>	
<del>Kristyn</del>	<del>Oldendorf</del>		<del>DPW</del>							
<del>DOUGLAS</del>	<del>ARMSTRONG</del>	<del>2222</del>	<del>N. HOWARD STREET</del>	<del>21218</del>	<del>[REDACTED]</del>					
<del>JOAN</del>	<del>FLORE</del>	<del>2222</del>	<del>N. HOWARD STREET</del>	<del>21218</del>	<del>sheoleba@honorshoptmail.com</del>					
<del>Thibault</del>	<del>Manekin</del>		<del>Seawall</del>		<del>joan@plannedunitdevelopment.com</del>					
<del>Thibault</del>	<del>Manekin</del>		<del>Seawall</del>		<del>tmankin@seawalldevelopment.com</del>					
<del>Gaylord</del>	<del>Dutton</del>		<del>BDC</del>							
<del>KATHY</del>	<del>McCawley</del>		<del>DOT</del>							

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**



(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.





# CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation      Chairperson: Edward Reisinger  
 Date: March 7, 2018      Time: 1:00 PM      Place: Clarence "Du" Burns Chambers  
 Subject: Ordinance - Repeal of Ordinance 14-314 - Remington Row Planned Unit Development      CC Bill Number: 17-0143

**PLEASE PRINT**

**IF YOU WANT TO TESTIFY PLEASE CHECK HERE**



**TESTIFY**

FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	WHAT IS YOUR POSITION ON THIS BILL?		(*) LOBBYIST: ARE YOU REGISTERED IN THE CITY	
						FOR	AGAINST	YES	NO
John	Doey	100	North Charles Street	21202	Johndoebmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Christina	Hartfield		Planning						
Shen	Robins		Housing						
Luther	Spaull	315	W. 28th Street	21211			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Peggy	Matthews	2810	Huntingdon Ave	21211			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Romaine	Johnson	2652	Huntingdon Ave	21211			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

(\*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

Dear Committee Members,

My name is Matthew Petrus. I have been a resident of 2736 North Howard Street since 2005. I moved to Baltimore for many reasons. It was an affordable city when I was looking to buy. It was also a lower density alternative to Washington DC, which greatly attracted my attention.

I fell in love with this house and neighborhood for a few good reasons.

1. The neighborhood was not over developed and was great for it's feeling of low urban density.
2. The people who were here had mostly been here for many years and even generations. It had real history.
3. There were not a bunch of high-rises around. There was plenty of light that would make it into the front of my house in the morning and into my back yard in the afternoon and evening. My neighbors Judith Sheinbrot of 2734 North Howard Street and Jorge Gonzalez of 2810 N. Howard have spent many evenings and dinners in the rear of our yards with the sun set.

These reasons alone made our neighborhood great and totally worth the purchase of a home in Remington. If a highrise gets built on the 7-11 site, all of that will go away. The zoning is going to allow a 100' tall building with over 300 living units. Even if this is only a 5 storey building, it will destroy the character of a beautiful, small neighborhood feel that has attracted so many people to Remington who have moved here and will be foreboding to many whop have enjoyed it before all the gentrification.

The PUD allowed for balance in our neighborhood. The developer made an agreement to allow for an open space and in turn, they got to develop 2 properties with a lot of density, which at the time would not have been possible. We had our open space. While the 7-11 may go, another business would be allowed to move in as long as 3,000 SF would be the buildable area. We, the neighborhood were okay with that, and so trusted the developer at their word.

This will all change if the PUD is destroyed. The destruction of this PUD will remove the open space. The developer will be allowed to build "by-right" with no parking requirements. We, the homeowners who have and continue to invest in our community, will be considered secondary in the neighborhood where we made a promise to be here for the long-term.

In the 1970's, a group of Manhattan Park Avenue residents had formed a coalition led by Jackie Kennedy to show the city of New York and the developer of a very tall high rise that was proposed to overlook the park just what a catastrophic shadow would be created and forever cast over the park if the city of New York would have allowed the developer to build the proposed building. They marched out into Central Park with black umbrellas to show just how awful it would have been. The city and the developer, upon seeing this, had scrapped the plan for the building. The reason in their argument was that such a Democratic space as a park was to be protected for the enjoyment of all and not simply for the wealthy few who would have a front-and-center stage view.

Our open space was created as a Democratic decision to maintain balance, and it was an agreement between the community and the developer. Please do not take it away from us.

I speak not just for myself but also for Christine and Paul Webber of 2732 North Howard Street as well.

Thank you for your time.

Sincerely,

Matthew J. Petrus  
2736 North Howard Street

received  
3/6/18 JLC  
Armstrong



**Real Property**  
 Catherine E. Pugh, Mayor

City of  
**BALTIMORE**  
 Maryland



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**REAL PROPERTY TAX LEVY**  
**JULY 1, 2017 TO JUNE 30, 2018**

BUREAU OF REVENUE COLLECTIONS  
 200 HOLIDAY STREET  
 BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
 BILLING 410-398-3987  
 IVR REFERENCE 173845003400  
 STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
 STATE HOMEOWNER CREDIT 410-767-4433

MILLER'S SQUARE, LLC  
 2601 N HOWARD ST, STE 100  
 BALTIMORE, MD. 21218

PROPERTY IDENTIFIER  
 WD SECTION BLOCK LOT  
 12 020 3645 034  
 LOT DIMENSIONS  
 1.053 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.231 DIFFERENCE \$ .017

**Assessed Property:**  
 2700 REMINGTON AVE

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	20,063,300	\$1.120	22,470.90
CITY TAX	20,063,300	\$2.2480	451,022.98
<b>TOTAL TAX</b>			<b>473,493.88</b>
SPECIAL CREDIT			-332,200.44
PAID 07/20/17 594.11-			-140,699.33

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
2ND INSTALLMENT		
IF PAID BY	SER. CHG&L/P	PAY THIS AMOUNT
SERVICE FEE FOR SEMIANNUAL IS:		Fee:

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT

**Amount Due: 0.00**

The amount due above is the full annual amount due including the applicable discount. If you are eligible to pay semi-annually and wish to do so, please refer to the Semi-Annual Payment Schedule above and remit that amount at this time.

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3/6/18 *JRC*  
*Gloyd*



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 Catherine E. Pugh, Mayor

City of  
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 Maryland



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**REAL PROPERTY TAX LEVY**  
**JULY 1, 2016 TO JUNE 30, 2017**

BUREAU OF REVENUE COLLECTIONS  
 200 HOLIDAY STREET  
 BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
 BILLING 410-398-3987  
 IVR REFERENCE 1836450003400  
 STATE DEPARTMENT OF ASSESSMENTS 410-787-8250  
 STATE HOMEOWNER CREDIT 410-787-4433

MILLER'S SQUARE, LLC  
 2601 N HOWARD ST, STE 100  
 BALTIMORE, MD. 21218

PROPERTY IDENTIFIER  
 WD SECTION BLOCK LOT  
 12 020 3645 034  
 LOT DIMENSIONS  
 1.033 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.189 DIFFERENCE \$.059

**Assessed Property:**  
 2700 REMINGTON AVE

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	1,591,300	\$1.120	1,782.26
CITY TAX	1,591,300	\$2.2480	35,772.42
<b>TOTAL TAX</b>			<b>37,554.68</b>
PAID 12/12/16			-37,554.83
0.00			
OTHER CHARGES			.15

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCNT & PEN	PAY THIS AMOUNT
2ND INSTALLMENT		
IF PAID BY	SER. CHG&1P	PAY THIS AMOUNT
SERVICE FEE FOR SEMIANNUAL IS:		Fee:

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCNT & PEN	PAY THIS AMOUNT
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**Amount Due: 0.00**

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[Payments via ACH or Direct Debit](#)

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City of  
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**MAYOR AND CITY COUNCIL OF BALTIMORE**  
**REAL PROPERTY TAX LEVY**  
**JULY 1, 2015 TO JUNE 30, 2016**

MILLER'S SQUARE, LLC  
 2601 N HOWARD ST, STE 100  
 BALTIMORE, MD. 21218

**BUREAU OF REVENUE COLLECTIONS**  
 200 HOLLIDAY STREET  
 BALTIMORE, MD 21202  
  
**TELEPHONE INQUIRIES:**  
 BILLING 410-398-3987  
 IVR REFERENCE 1536450003400  
 STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
 STATE HOMEOWNER CREDIT 410-767-4433  
  
**PROPERTY IDENTIFIER**  
 WD SECTION BLOCK LOT  
 12 020 3645 034  
 LOT DIMENSIONS  
 1.033 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.210 DIFFERENCE \$ .038

**Assessed Property:**  
 2700 REMINGTON AVE

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	1,474,067	\$1.120	1,650.96
CITY TAX	1,474,067	\$2.2480	33,137.03
<b>TOTAL TAX</b>			<b>34,787.99</b>
PAID 12/15/15			-34,787.99
<b>0.00</b>			

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
<u>IF PAID BY</u>	<u>DISC/INT &amp; PEN</u>	<u>PAY THIS AMOUNT</u>
<u>IF PAID BY</u>	<u>SER. CHG&amp;1/2</u>	<u>PAY THIS AMOUNT</u>

SERVICE FEE FOR SEMIANNUAL IS: Fee:

**ANNUAL PAYMENT SCHEDULE**

<u>IF PAID BY</u>	<u>DISC/INT &amp; PEN</u>	<u>PAY THIS AMOUNT</u>
-------------------	---------------------------	------------------------

**Amount Due: 0.00**

The amount due above is the full annual amount due including the applicable discount. If you are eligible to pay semi-annually and wish to do so, please refer to the Semi-Annual Payment Schedule above and remit that amount at this time.

[Pay Online with Credit Card or Debiting Account](#)

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**MAYOR AND CITY COUNCIL OF BALTIMORE**  
**REAL PROPERTY TAX LEVY**  
**JULY 1, 2016 TO JUNE 30, 2017**

BUREAU OF REVENUE COLLECTIONS  
 200 HOLIDAY STREET  
 BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
 BILLING 410-396-3987  
 IVR REFERENCE 1836610003200  
 STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
 STATE HOMEOWNER CREDIT 410-767-4433

MILLER'S SQUARE RETAIL, LLC  
 2601 N HOWARD ST #100  
 BALTIMORE, MD. 21218

PROPERTY IDENTIFIER  
 WD SECTION BLOCK LOT  
 12 020 3651 032  
 LOT DIMENSIONS  
 0.913 ACRES

NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.189 DIFFERENCE \$ .059

**Assessed Property:**  
 301 - 315 W 29TH ST

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	772,900	\$1.120	865.65
CITY TAX	772,900	\$2.2480	17,374.79
<b>TOTAL TAX</b>			<b>18,240.44</b>
PAID 09/13/16			-18,240.44
0.00			

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
2ND INSTALLMENT		
IF PAID BY	SER. CHG&1/P	PAY THIS AMOUNT
SERVICE FEE FOR SEMIANNUAL IS:		Fee:

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
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**Amount Due: 0.00**

The amount due above is the full annual amount due including the applicable discount. If you are eligible to pay semi-annually and wish to do so, please refer to the Semi-Annual Payment Schedule above and remit that amount at this time.

[Pay Online with Credit Card or Other Pay Account](#)

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**MAYOR AND CITY COUNCIL OF BALTIMORE**  
**REAL PROPERTY TAX LEVY**  
**JULY 1, 2017 TO JUNE 30, 2018**

**BUREAU OF REVENUE COLLECTIONS**  
 200 HOLLIDAY STREET  
 BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
 BILLING 410-396-3987  
 IVR REFERENCE 1738510003200  
 STATE DEPARTMENT OF ASSESSMENTS 410-787-8250  
 STATE HOMEOWNER CREDIT 410-787-4433

**MILLER'S SQUARE RETAIL, LLC**  
 2601 N HOWARD ST #100  
 BALTIMORE, MD. 21218

PROPERTY IDENTIFIER  
 WD SECTION BLOCK LOT  
 12 020 3651 032  
 LOT DIMENSIONS  
 0.913 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.231 DIFFERENCE \$ .017

**Assessed Property:**  
 301 - 315 W 29TH ST

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	4,497,933	\$1.120	5,037.68
CITY TAX	4,497,933	\$2.2480	101,113.53
<b>TOTAL TAX</b>			<b>106,151.21</b>
PAID 07/26/17			-26,411.30
132.06-			

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
FLAT CHG	00000000	26,532.25
10/31/17	505.46	27,037.71
		000000000000
2ND INSTALLMENT		
IF PAID BY	SER. CHG&LP	PAY THIS AMOUNT
12/31/17	145.96	53,221.57

SERVICE FEE FOR SEMIANNUAL IS: Fee:

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
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**Amount Due: 80259.28**

The amount due above is the full annual amount due including the applicable discount. If you are eligible to pay semi-annually and wish to do so, please refer to the Semi-Annual Payment Schedule above and remit that amount at this time.

[Baltimore City Department of Finance](#)

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**MAYOR AND CITY COUNCIL OF BALTIMORE**  
**REAL PROPERTY TAX LEVY**  
**JULY 1, 2015 TO JUNE 30, 2016**

**MILLER'S SQUARE RETAIL, LLC**  
 2601 N HOWARD ST #100  
 BALTIMORE, MD. 21218

**BUREAU OF REVENUE COLLECTIONS**  
 200 HOLLIDAY STREET  
 BALTIMORE, MD 21202  
  
**TELEPHONE INQUIRIES:**  
 BILLING 410-396-3987  
 IVR REFERENCE 1538510003200  
 STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
 STATE HOMEOWNER CREDIT 410-767-4433  
  
**PROPERTY IDENTIFIER**  
 WD SECTION BLOCK LOT  
 12 020 3651 032  
 LOT DIMENSIONS  
 0.913 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.210 DIFFERENCE \$ 0.58

**Assessed Property:**  
301 - 315 W 29TH ST

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	762,467	\$ 1.120	853.96
CITY TAX	762,467	\$ 2.2480	17,140.26
<b>TOTAL TAX</b>			<b>17,994.22</b>
PAID 09/08/15			-17,994.22
22.49-			

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
2ND INSTALLMENT		
IF PAID BY	SER. CHG&J/P	PAY THIS AMOUNT
SERVICE FEE FOR SEMIANNUAL IS: Fee:		

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCOUNT & PEN	PAY THIS AMOUNT
------------	----------------	-----------------

**Amount Due: 0.00**

The amount due above is the full annual amount due including the applicable discount. If you are eligible to pay semi-annually and wish to do so, please refer to the Semi-Annual Payment Schedule above and remit that amount at this time.

*Pay Online with Credit Card or Checking Account*

M & T bank, in partnership with Online Resources, is now able to facilitate making real property tax payments via a direct debit to your personal/business checking account or credit card. Please note that personal/business savings accounts will not be accepted.

**Important Note:**

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**MAYOR AND CITY COUNCIL OF BALTIMORE**  
**REAL PROPERTY TAX LEVY**  
**JULY 1, 2017 TO JUNE 30, 2018**

211 W. 28TH STREET, LLC  
 2601 N. HOWARD ST. STE 100  
 BALTIMORE, MD. 21218

BUREAU OF REVENUE COLLECTIONS  
 200 HOLLIDAY STREET  
 BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
 BILLING 410-398-3887  
 IVR REFERENCE 1730500203200  
 STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
 STATE HOMEOWNER CREDIT 410-767-4433

PROPERTY IDENTIFIER  
 WD SECTION BLOCK LOT  
 12 020 36508 032  
 LOT DIMENSIONS  
 0.341 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.231 DIFFERENCE \$ .017

**Assessed Property:**  
211 W 28TH ST

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	388,600	\$1.120	435.23
CITY TAX	388,600	\$2.2480	8,735.73
<b>TOTAL TAX</b>			<b>9,170.96</b>
PAID 09/08/17			-9,170.96
0.00			

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCONT & PEN	PAY THIS AMOUNT
2ND INSTALLMENT		
IF PAID BY	SER. CHG&1/2	PAY THIS AMOUNT
SERVICE FEE FOR SEMIANNUAL IS: Fee:		

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCONT & PEN	PAY THIS AMOUNT
------------	---------------	-----------------

**Amount Due: 0.00**

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*Pay Online with Credit Card or Checking Account!*

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3/6/18 JRC  
 Floyd







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**MAYOR AND CITY COUNCIL OF BALTIMORE**  
**REAL PROPERTY TAX LEVY**  
**JULY 1, 2016 TO JUNE 30, 2017**

211 W. 28TH STREET, LLC  
 2601 N. HOWARD ST. STE 100  
 BALTIMORE, MD. 21218

BUREAU OF REVENUE COLLECTIONS  
 200 HOLLIDAY STREET  
 BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
 BILLING 410-398-3987  
 IVR REFERENCE 1838500203200  
 STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
 STATE HOMEOWNER CREDIT 410-787-4433

PROPERTY IDENTIFIER  
 WD SECTION BLOCK LOT  
 12 020 36508 032  
 LOT DIMENSIONS  
 0.341 ACRES  
 NOT A PRINCIPAL RESIDENCE  
 CONSTANT YIELD \$ 2.189 DIFFERENCE \$ .059

**Assessed Property:**  
 211 W 28TH ST

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	389,500	\$1.120	436.24
CITY TAX	389,500	\$2.2480	8,755.96
TOTAL TAX			9,192.20
PAID 08/02/16			-9,148.42
43.78-			

**SEMIANNUAL PAYMENT SCHEDULE**

**1ST INSTALLMENT**  
 IF PAID BY DISCNT & PEN PAY THIS AMOUNT

**2ND INSTALLMENT**  
 IF PAID BY SER. CHG&1/2 PAY THIS AMOUNT

SERVICE FEE FOR SEMIANNUAL IS: Fee:

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY DISCNT & PEN PAY THIS AMOUNT

**Amount Due: 0.00**

The amount due above is the full annual amount due including the applicable discount. If you are eligible to pay semi-annually and wish to do so, please refer to the Semi-Annual Payment Schedule above and remit that amount at this time.

**Pay Online with Credit Card or Checking Account**

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Real Property

Catherine E. Pugh, Mayor



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**MAYOR AND CITY COUNCIL OF BALTIMORE  
REAL PROPERTY TAX LEVY  
JULY 1, 2015 TO JUNE 30, 2016**

211 W. 28TH STREET, LLC  
2601 N. HOWARD ST. STE 100  
BALTIMORE, MD. 21218

**Assessed Property:**  
211 W 28TH ST

TAX DESCRIPTION	ASSESSMENT	RATE	TAX
STATE TAX	381,167	\$1.120	426.91
CITY TAX	381,167	\$2.2480	8,568.63
<b>TOTAL TAX</b>			<b>8,995.54</b>
PAID 07/28/15			-8,952.70
42.84-			

**BUREAU OF REVENUE COLLECTIONS**  
200 HOLLIDAY STREET  
BALTIMORE, MD 21202

TELEPHONE INQUIRIES:  
BILLING 410-396-3987  
IVR REFERENCE 1536500203200

STATE DEPARTMENT OF ASSESSMENTS 410-767-8250  
STATE HOMEOWNER CREDIT 410-767-4433

PROPERTY IDENTIFIER  
WD SECTION BLOCK LOT  
12 020 36508 032  
LOT DIMENSIONS  
0.341 ACRES  
NOT A PRINCIPAL RESIDENCE  
CONSTANT YIELD \$ 2.210 DIFFERENCE \$ .038

**SEMIANNUAL PAYMENT SCHEDULE**

1ST INSTALLMENT		
IF PAID BY	DISCONT & PEN	PAY THIS AMOUNT
2ND INSTALLMENT		
IF PAID BY	SER. CHG&1/2	PAY THIS AMOUNT
SERVICE FEE FOR SEMIANNUAL IS: Fee:		

**ANNUAL PAYMENT SCHEDULE**

IF PAID BY	DISCONT & PEN	PAY THIS AMOUNT
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**Amount Due: 0.00**

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# City of Baltimore

City Council  
City Hall, Room 408  
100 North Holliday Street  
Baltimore, Maryland  
21202

## Meeting Agenda - Final

### Land Use and Transportation Committee

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Wednesday, March 7, 2018

1:00 PM

Du Burns Council Chamber, 4th floor, City Hall

---

17-0143

Rescheduled from 2/14/18

#### **CALL TO ORDER**

#### **INTRODUCTIONS**

#### **ATTENDANCE**

#### **ITEMS SCHEDULED FOR PUBLIC HEARING**

17-0143

##### **Repeal of Ordinance 14-314 - Remington Row Planned Unit Development**

For the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

Sponsors:

Robert Stokes, Sr., President Young

#### **ADJOURNMENT**

**THIS MEETING IS OPEN TO THE PUBLIC**





**BALTIMORE CITY COUNCIL  
LAND USE AND TRANSPORTATION COMMITTEE**

**Mission Statement**

*On behalf of the Citizens of Baltimore City, the mission of the Land Use and Transportation Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.*

**The Honorable Edward Reisinger  
Chairperson**

**PUBLIC HEARING**

**Wednesday, March 7, 2018**

**1:00 PM**

**Clarence "Du" Burns Council Chambers**

***City Council Bill # 17-0143***

***Repeal of Ordinance 14-314 -  
Remington Row Planned Unit Development***



## CITY COUNCIL COMMITTEES

### BUDGET AND APPROPRIATIONS

Eric Costello – Chair  
Leon Pinkett – Vice Chair  
Bill Henry  
Sharon Green Middleton  
Brandon M. Scott  
Isaac “Yitzy” Schleifer  
Shannon Sneed  
*Staff: Marguerite Currin*

### EDUCATION AND YOUTH

Zeke Cohen – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Kristerfer Burnett  
Ryan Dorsey  
*Staff: D’Paul Nibber*

### EXECUTIVE APPOINTMENTS

Robert Stokes – Chair  
Kristerfer Burnett – Vice Chair  
Mary Pat Clarke  
Zeke Cohen  
Isaac “Yitzy” Schleifer  
*Staff: Marguerite Currin*

### HOUSING AND URBAN AFFAIRS

John Bullock – Chair  
Isaac “Yitzy” Schleifer – Vice Chair  
Kristerfer Burnett  
Bill Henry  
Shannon Sneed  
Zeke Cohen  
Ryan Dorsey  
*Staff: Richard Krummerich*

### JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair  
Mary Pat Clarke – Vice Chair  
John Bullock  
Leon Pinkett  
Edward Reisinger  
Brandon Scott  
Robert Stokes  
*Staff: D’Paul Nibber*

### LABOR

Shannon Sneed – Chair  
Robert Stokes – Vice Chair  
Eric Costello  
Bill Henry  
Mary Pat Clarke  
*Staff: Marguerite Currin*

### LAND USE AND TRANSPORTATION

Edward Reisinger - Chair  
Sharon Green Middleton – Vice Chair  
Mary Pat Clarke  
Eric Costello  
Ryan Dorsey  
Leon Pinkett  
Robert Stokes  
*Staff: Jennifer Coates*

### PUBLIC SAFETY

Brandon Scott – Chair  
Ryan Dorsey – Vice Chair  
Kristerfer Burnett  
Shannon Sneed  
Zeke Cohen  
Leon Pinkett  
Isaac “Yitzy” Schleifer  
*Staff: Richard Krummerich*

### TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair  
Leon Pinkett – Vice Chair  
Eric Costello  
Edward Reisinger  
Robert Stokes  
*Staff: Jennifer Coates*  
*- Larry Greene (pension only)*

**CITY OF BALTIMORE**

CATHERINE E. PUGH, Mayor



**OFFICE OF COUNCIL SERVICES**

LARRY E. GREENE, Director  
415 City Hall, 100 N. Holliday Street  
Baltimore, Maryland 21202  
410-396-7215 / Fax: 410-545-7596  
email: larry.greene@baltimorecity.gov

**BILL SYNOPSIS**

**Committee: Land Use and Transportation**

**Bill 17-0143**

---

**Repeal of Ordinance 14-314 - Remington Row Planned Unit Development**

---

**Sponsor:** Councilmember Stokes

**Introduced:** September 25, 2017

**Purpose:**

For the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

**Effective:** Date of enactment

**Hearing Date/Time/Location:** March 7, 2018 /1:00 p.m./Clarence "Du" Burns Chambers

---

**Agency Reports**

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	Not Opposed
Department of Law	Favorable
Department of Housing and Community Development	Favorable
Fire Department	No Objection
Department of Public Works	No Objection
Baltimore Development Corporation	Favorable

---

## Analysis

### Current Law

Ordinance 14-314

### Background

CC Bill 17-0143, if approved, would repeal Ordinance 14-314, which created a Business Planned Unit Development (PUD) known as Remington Row. The PUD is comprised of three areas along Remington Avenue:

- Area A – 2700 Block of Remington Avenue – a five-story, mixed-use building with retail, offices, 108 apartments and structured parking;
- Area B – 301 W. 29<sup>th</sup> Street – Mixed use office and a restaurant building, and
- Area C – 211 W. 28<sup>th</sup> Street – Site of a 7-Eleven retail store

The property, which is owned by Miller's Square Retail, LLC, is located in North Baltimore in the Remington neighborhood. The PUD site is adjacent to zoning districts that are commercial, residential and light industrial.

Under the old zoning code, the property was zoned R-9 and B-3-2. A PUD was adopted for the site in 2014 via Ordinance 14-314. The newly created PUD allowed the developer to move forward with development projects which relied on the density created by the PUD. After adoption of the current zoning code (Article 32) in 2017, zoning for the project area is now designated as commercial C-2 and industrial I-MU. Repeal of the PUD will eliminate a layer of land use regulation allowing the owner to complete future development plans under the current zoning designations.

---

## Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Department of Planning Report, Department of Public Works Report

---

Analysis by: Jennifer L. Coates  
Analysis Date: March 1, 2018

Direct Inquiries to: (410) 396-1260

**CITY OF BALTIMORE  
COUNCIL BILL 17-0143  
(First Reader)**

---

Introduced by: Councilmember Stokes, President Young  
At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201  
Telephone: 410-727-6600

Introduced and read first time: September 25, 2017

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, Department of Transportation

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Repeal of Ordinance 14-314 –**  
3 **Remington Row Planned Unit Development**

4 FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a  
5 Business Planned Unit Development known as Remington Row; and providing for a special  
6 effective date.

7 BY repealing  
8 Ordinance 14-314

9 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**  
10 **Ordinance 14-314 is repealed, and the authority conferred in that Ordinance to designate certain**  
11 **properties as a Business Planned Unit Development known as Remington Row is rescinded.**

12 **SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is**  
13 **enacted.**

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

**LAND USE AND TRANSPORTATION COMMITTEE**

**BILL 17-0143**

**AGENCY REPORTS**

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	Favorable
Department of Transportation	Not Opposed
Department of Law	Favorable
Department of Housing and Community Development	Favorable
Fire Department	No Objection
Department of Public Works	No Objection
Baltimore Development Corporation	Favorable

**LAND USE AND TRANSPORTATION COMMITTEE**

**BILL 17-0143**

**Communications**

Greater Remington Improvement Association	Supports
Ms. Kate Titford	Opposed



GREATER REMINGTON  
IMPROVEMENT ASSOCIATION

September 19, 2017

(443) 620-4742  
www.griaonline.org

Molly McCullagh  
President

Jed Weeks  
Vice President

Julie Dael  
Secretary

Nellie Power  
Treasurer

**Board Members at Large**

Ryan Flanigan  
Maryanne Kondratenko  
Blaine Carvalho  
Bill Cunningham  
Josh Greenfeld  
Peter Morrill  
Phong Le  
Leah Irwin

Councilwoman Mary Pat Clarke, Councilman Robert Stokes  
City Hall, 100 North Holliday Street  
Baltimore, MD 21202

**Re: GRIA Letter of Support for repeal of Remington Row PUD**

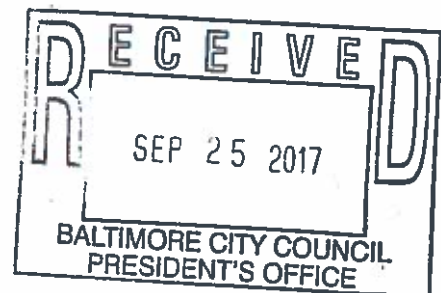
Dear Councilwoman Clarke and Councilman Stokes,

The Greater Remington Improvement Association (GRIA) writes in support of the repeal of the Remington Row Planned Unit Development project. When the PUD was introduced in 2014, GRIA supported the proposal. The GRIA Land Use Committee met with representatives from Seawall Development on September 5<sup>th</sup>, 2017 to better understand the need for the repeal. The Land Use Committee members voted unanimously to support the repeal of the PUD; the GRIA board affirmed this vote. Since the implementation of the updated zoning code in June 2017, the PUD is outdated and the projects would be best served by the new zoning designations.

We encourage you to introduce a bill to repeal the Remington Row PUD.

Best regards,

Molly McCullagh  
President, Greater Remington Improvement Association



**From:** Kate Titford [mailto:kttitford@gmail.com]  
**Sent:** Wednesday, October 04, 2017 10:49 AM  
**To:** Clarke, Mary Pat  
**Subject:** Resident opposed to repeal of the PUD at Remington Row

Hi Councilwoman Clarke -

I live near the Remington Row development, and I am VERY opposed to any repeal of that PUD.

I am grateful for all Seawall Development has done in and for our neighborhood, but believe that the original agreed-upon restrictions on their parcel(s) are still relevant and needed to ensure the quality of life for surrounding neighbors. As we say on our block: KEEP CANTON OUT OF REMINGTON!

I also question the motives of Councilman Stokes, but I will save that for another email.

Thank you for standing up for our neighborhood!  
Kate.

received  
10-5-17 JLR





**CITY OF BALTIMORE  
COUNCIL BILL 17-0143  
(First Reader)**

---

Introduced by: Councilmember Stokes, President Young  
At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street,  
LLC

Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South  
Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: September 25, 2017

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, Department  
of Transportation

---

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Repeal of Ordinance 14-314 –**  
3 **Remington Row Planned Unit Development**

4 FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a  
5 Business Planned Unit Development known as Remington Row; and providing for a special  
6 effective date.

7 BY repealing  
8 Ordinance 14-314

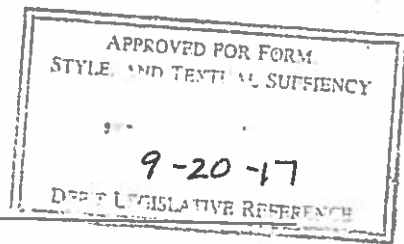
9 SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That  
10 Ordinance 14-314 is repealed, and the authority conferred in that Ordinance to designate certain  
11 properties as a Business Planned Unit Development known as Remington Row is rescinded.

12 SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is  
13 enacted.

EXPLANATION: CAPITALS indicate matter added to existing law.  
{Brackets} indicate matter deleted from existing law.



**INTRODUCTORY\***  
**CITY OF BALTIMORE**  
**COUNCIL BILL \_\_\_\_\_**



Introduced by: Councilmember Stokes  
At the request of: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC  
Address: c/o Caroline L. Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, Suite 21<sup>st</sup> Floor, Baltimore, Maryland 21201  
Telephone: 410-727-6600

**A BILL ENTITLED**

AN ORDINANCE concerning

**Repeal of Ordinance 14-314 –  
Remington Row Planned Unit Development**

FOR the purpose of repealing Ordinance 14-314, which designated certain properties as a Business Planned Unit Development known as Remington Row; and providing for a special effective date.

BY repealing  
Ordinance 14-314

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That Ordinance 14-314 is repealed, and the authority conferred in that Ordinance to designate certain properties as a Business Planned Unit Development known as Remington Row is rescinded.

**SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is enacted.

**\* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.  
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.**



**STATEMENT OF INTENT  
FOR**

Repeal of Ordinance 14-314 –  
Remington Row Planned Unit Development

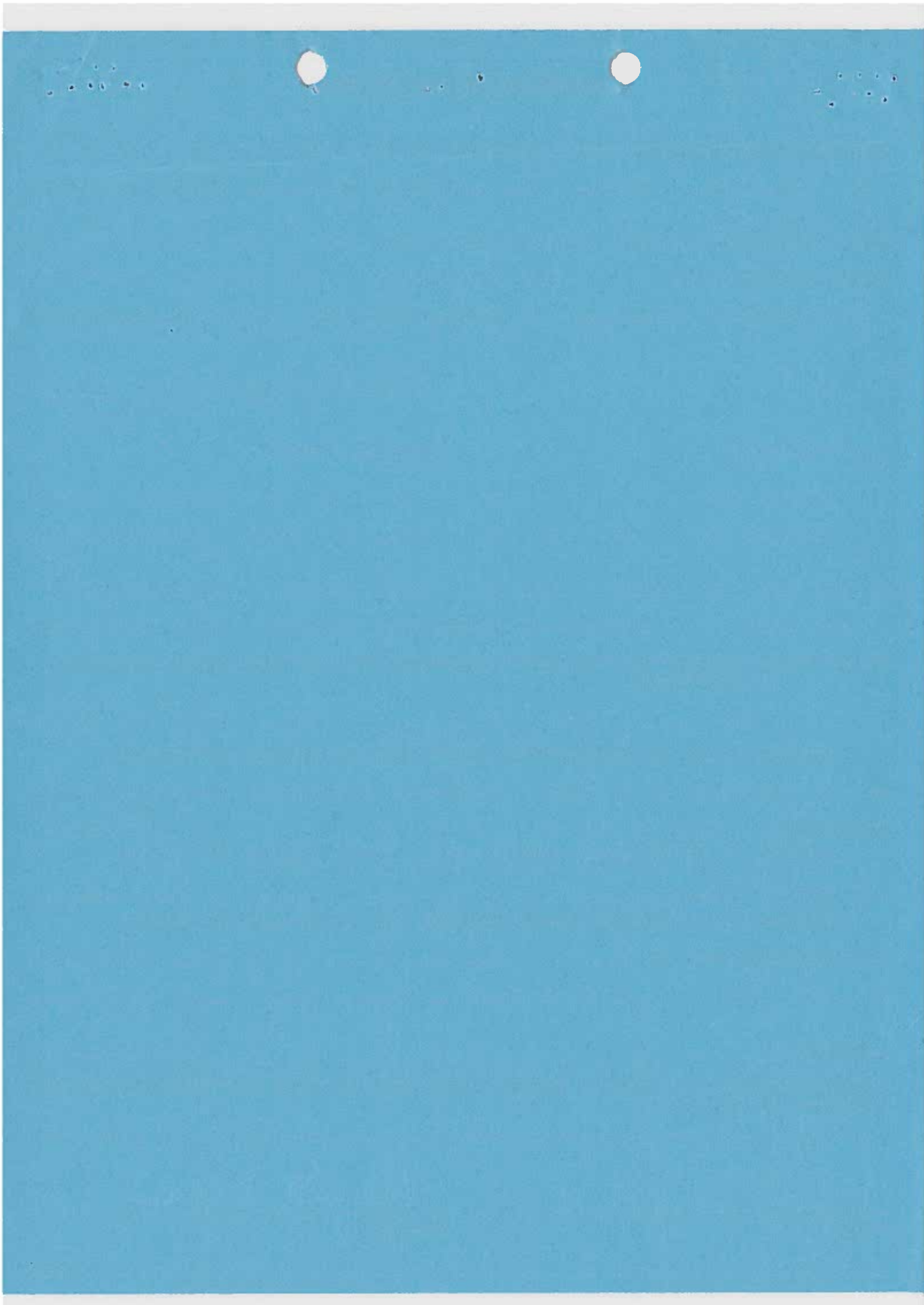
1. Applicant's name, address and telephone number: Miller's Square, LLC, Miller's Square Retail, LLC, and 211 W. 28<sup>th</sup> Street, LLC c/o Caroline L. Hecker, Rosenberg Martin Greenberg, LLP, 25 S. Charles Street, 21<sup>st</sup> Floor. (410) 727-6600
2. All proposed changes for the property: Repeal of PUD to permit property to be operated and developed based on underlying zoning
3. All intended use of the property: residential and commercial uses
4. Current owner's name, address, and telephone number:

<u>Address</u>	<u>Property Owner</u>	<u>Deed Reference</u>
2700 Remington Ave.	Miller's Square, LLC 2601 N. Howard St., Ste. 100 Baltimore, MD 21218	16508/0017
301 W. 28 <sup>th</sup> Street	Miller's Square, LLC 2601 N. Howard St., Ste. 100 Baltimore, MD 21218	15529/0398
301/315 W. 29 <sup>th</sup> Street	Miller's Square Retail, LLC 2601 N. Howard St., Ste. 100 Baltimore, MD 21218	16600/0213
211 W. 28 <sup>th</sup> Street	211 W. 28 <sup>th</sup> Street, LLC 2601 N. Howard St., Ste. 100 Baltimore, MD 21218	16526/0282

5. The property was acquired by the current owner by deed recorded in the Land Records of Baltimore City in Liber \_\_\_\_ folio \_\_\_\_\_. [Please see above.]
6. (a) There is \_\_\_ is not X a contract contingent on the requested legislative authorization.  
(b) If there is a contract contingent on the requested legislative authorization:
  - (i) The names and addresses of all parties on the contract are {use additional sheet if necessary}:

\_\_\_\_\_  
N/A  
\_\_\_\_\_







ACTION BY THE CITY COUNCIL

SEP 25 2017  
20

FIRST READING (INTRODUCTION) \_\_\_\_\_

PUBLIC HEARING HELD ON March 7, \_\_\_\_\_ 20 18

COMMITTEE REPORT AS OF March 12, \_\_\_\_\_ 20 18

FAVORABLE \_\_\_\_\_ UNFAVORABLE \_\_\_\_\_ FAVORABLE AS AMENDED \_\_\_\_\_ WITHOUT RECOMMENDATION

*Edmund Rosenberg*  
Chair

COMMITTEE MEMBERS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMITTEE MEMBERS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

MAR 12 2018  
20

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING \_\_\_\_\_ MAR 26 2018  
20

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) \_\_\_\_\_ 20 \_\_\_\_\_

WITHDRAWAL \_\_\_\_\_ 20 \_\_\_\_\_

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

*Bob DeJong*  
President

*Lillian J. Dennis*  
Chief Clerk