

**CITY OF BALTIMORE
COUNCIL BILL 15-0553
(First Reader)**

Introduced by: Councilmember Kraft

At the request of: 4701 O'Donnell Street, LLC

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Introduced and read first time: July 20, 2015

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – 4701 O'Donnell Street**

3 FOR the purpose of approving the application of 4701 O'Donnell Street, LLC, owner of certain
4 property located at 4701 O'Donnell Street, to have that property designated an Industrial
5 Planned Unit Development; and approving the Development Plan submitted by the applicant.

6 BY authority of

7 Article - Zoning

8 Title 9, Subtitles 1 and 5

9 Baltimore City Revised Code

10 (Edition 2000)

11 **Recitals**

12 4701 O'Donnell Street, LLC, is the owner of certain real property located at 4701 O'Donnell
13 Street, consisting of 6.588 acres, more or less.

14 The owner proposes to redevelop the property for retail and industrial uses.

15 On April 27, 2015, representatives of the applicant met with the Department of Planning for a
16 preliminary conference, to explain the scope and nature of existing and proposed development on
17 the property and to institute proceedings to have the property designated an Industrial Planned
18 Unit Development.

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

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1 The representatives of the applicant have now applied to the Baltimore City Council for
2 designation of the property as an Industrial Planned Unit Development, and they have submitted
3 a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 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 4701 O'Donnell Street, LLC, owner of the
7 property located at 4701 O'Donnell Street, consisting of 6.588 acres, more or less, as outlined on
8 the accompanying Development Plan entitled "4701 O'Donnell Street", to designate the property
9 an Industrial Planned Unit Development under Title 9, Subtitles 1 and 5 of the Baltimore City
10 Zoning Code.

11 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the
12 applicant, consisting of Sheet 1, "Existing Conditions", dated July 10, 2015; Sheet 2, "Proposed
13 Conditions", dated July 10, 2015; Sheet 3, "Landscape Plan", dated June 17, 2015; and Sheet 4,
14 "Landscape Notes and Details", dated June 17, 2015, is approved.

15 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
16 9, Subtitles 1 and 5, the following uses are permitted within the Planned Unit Development:

- 17 (a) all permitted, accessory, and conditional uses as allowed in the M-2 Zoning District
- 18 (b) gasoline service station
- 19 (c) offices: business and professional, other than accessory
- 20 (d) personal services establishment
- 21 (e) restaurant: drive-in - including pick-up drives with window service
- 22 (f) retail goods establishment

23 **SECTION 4. AND BE IT FURTHER ORDAINED,** That when reviewing plans for final design
24 approval, the Planning Commission may take into consideration proposed uses that have
25 different peak parking characteristics that complement each other, so that the parking places
26 provided may reasonably be shared by proposed uses, and an excess of parking is not provided by
27 strict cumulating of the parking requirements of the Zoning Code.

28 **SECTION 5. AND BE IT FURTHER ORDAINED,** That all plans for the construction of permanent
29 improvements on the property are subject to final design approval by the Planning Commission
30 to insure that the plans are consistent with the Development Plan and this Ordinance.

31 **SECTION 6. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
32 what constitutes minor or major modifications to the Plan. Minor modifications require approval
33 by the Planning Commission. Major modifications require approval by Ordinance.

34 **SECTION 7. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
35 accompanying Development Plan and in order to give notice to the agencies that administer the
36 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
37 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the

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

5 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
6 after the date it is enacted.