

**CITY OF BALTIMORE
ORDINANCE _____
Council Bill 05-0100**

Introduced by: Councilmember Young
At the request of: Madison Street Properties, Inc.
Address: c/o Claude Edward Hitchcock, Esquire, 233 East Redwood Street, Baltimore,
Maryland 21202
Telephone: 410-576-4053
Introduced and read first time: April 18, 2005
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 11, 2005

AN ORDINANCE CONCERNING

1

Planned Unit Development – Designation – Kennedy Krieger Institute

2 FOR the purpose of approving the application of Madison Street Properties, Inc., a wholly owned
3 subsidiary of the Kennedy Krieger Institute, owner and developer of certain property
4 bounded by North Broadway, Ashland Avenue, Rutland Avenue, and East Madison Street
5 and known as 801 North Broadway and 1712 East Madison Street (the “Property”), to have
6 that property designated a ~~Residential~~ Business Planned Unit Development; and approving
7 the Development Plan submitted by the applicant.

8 BY authority of
9 Article - Zoning
10 Title 9, Subtitles 1 and ~~2~~ 4
11 Baltimore City Revised Code
12 (Edition 2000)

13

Recitals

14 Madison Street Properties, Inc., a wholly owned subsidiary of the Kennedy Krieger Institute,
15 is the owner and developer of property bounded by North Broadway, Ashland Avenue, Rutland
16 Avenue, and East Madison Street, and known as 801 North Broadway and 1712 East Madison
17 Street, consisting of 3.7 acres, more or less.

18 Madison Street Properties, Inc., will develop the property as a ~~Residential~~ Business Planned
19 Unit Development for business uses: an outpatient children’s hospital, inpatient children’s
20 hospital, a related research center, and a related outdoor “wellness garden/amphitheater”.

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.

1 On March 23, 2005, representatives of the applicant met with the Department of Planning for
2 a preliminary conference, to explain the scope and nature of existing and proposed development
3 on the property and to institute proceedings to have the property designated a Residential
4 Business Planned Unit Development.

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

9 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
10 Mayor and City Council approves the application of Madison Street Properties, Inc., owner and
11 developer of the property bounded by North Broadway, Ashland Avenue, Rutland Avenue, and
12 East Madison Street, and known as 801 North Broadway and 1712 East Madison Street,
13 consisting of 3.7 acres, more or less, as outlined on the accompanying Development Plan entitled
14 “Kennedy Krieger Institute”, dated April 4 30, 2005, consisting of Sheet A1, “Vicinity Map”,
15 dated April 4 30, 2005; Sheet A2, “Existing Site”, dated April 4 30, 2005; Sheet A3, “Proposed
16 Development Plan”, dated April 4 30, 2005; Sheet A4, “Phase 1”; dated April 4 30, 2005, Sheet
17 A5, “Landscape”, dated April 4 30, 2005; and Sheet A6, “Massing Study Diagram”, dated April
18 4 30, 2005, to designate the property a Residential Business Planned Unit Development under
19 Title 9, Subtitles 1 and 2 4 of the Baltimore City Zoning Code.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by
21 Madison Street Properties, Inc., is approved.

22 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
23 9, Subtitles 1 and 2 4, the following uses are allowed within the Planned Unit Development:

24 (a) The following ~~R-8~~ B-2 uses are allowed on the property within the PUD:

25 Inpatient children’s hospital and outpatient children’s hospital.

26 (b) Additionally, the following uses are permitted within the PUD:

27 Medical laboratory; research laboratory; office/business, governmental, and
28 professional; and such retail uses as are permitted in the ~~B-1~~ B-2 Zoning District and
29 are consistent with a hospital operation, with the exception of establishments that sell
30 alcoholic beverages.

31 (c) In addition, parking, open off-street areas, other than accessory, for the parking of 4
32 or more automobiles is permitted with the Phase 2 and Phase 3 areas of the Planned
33 Unit Development.

34 (d) Uses allowed under this Planned Unit Development, but disallowed by any governing
35 Urban Renewal Plan, are allowed in the Planned Unit Development to the extent they
36 are specifically provided for in the approved Development Plan.

37 ~~**SECTION 4. AND BE IT FURTHER ORDAINED,** That the following design features will be~~
38 ~~allowed in the buildings constructed within the PUD, notwithstanding provisions of relevant~~
39 ~~Urban Renewal Ordinances or of the Zoning Code of Baltimore City:~~

- 1 ~~(a) Buildings whose property lines touch on Ashland Avenue, Wolfe Street, Washington~~
2 ~~Street, or Chester Street are required to have their entrances on that street; however, if~~
3 ~~a building’s use and design requires it to have a vehicular drop-off point, the~~
4 ~~entrance of the building may be behind the drop-off point, accessible from the street~~
5 ~~but within the building’s property line.~~

- 6 ~~(b) Due to the legal requirements for patient confidentiality and privacy, particularly as it~~
7 ~~relates to patient theory and other treatment, and because the buildings to be~~
8 ~~constructed within the PUD are “Green Buildings”, tinted or mirrored glass may be~~
9 ~~used in buildings.~~

- 10 ~~(c) The height restrictions of the buildings to be constructed are as follows:~~
11 ~~Minimum height - 60 feet and maximum height - 140 feet.~~

- 12 ~~(d) The loading and service areas of the buildings must be located on East Madison~~
13 ~~Street and/or Rutland Avenue.~~

- 14 ~~(e) The Floor Area Ratio to be applied to the Planned Unit Development Area is 5.~~

- 15 ~~(f) Building massing generally must conform to the buildings in the surrounding vicinity.~~
16 ~~Buildings or groups of buildings may include a variety of forms, materials, and~~
17 ~~colors, provided that these elements are composed to maintain a unified appearance.~~

- 18 ~~(g) Roof designs must minimize the negative impact of roof protrusions and mechanical~~
19 ~~elements by grouping them. All rooftop mechanical and electrical equipment must be~~
20 ~~screened from pedestrians at the street level.~~

- 21 ~~(h) Openings of buildings must conform to that of buildings in the surrounding vicinity.~~

- 22 ~~(i) The entrance of a building must be designed to be easily identifiable as the primary~~
23 ~~point of access.~~

- 24 ~~(j) All facades facing the street must be masonry, brick, glass, metal (at the penthouse~~
25 ~~level or as an accent feature) or precast.~~

26 **SECTION 5 4. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
27 permanent improvements on the property are subject to final design approval by the Planning
28 Commission to insure that the plans are consistent with the Development Plan and this
29 Ordinance.

30 **SECTION 5. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
31 what constitutes minor or major amendments to the Plan. Minor modifications require approval
32 by the Planning Commission. Major modifications require approval by Ordinance.

33 **SECTION 6. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
34 accompanying Development Plan and in order to give notice to the agencies that administer the
35 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
36 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
37 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
38 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning

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

3 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
4 day after the date it is enacted.

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

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City