

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 11-0697**

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Introduced by: Councilmembers Welch, Stokes, Cole, Middleton, Conaway, Kraft, Holton,  
Branch, Spector, Reisinger  
At the request of: University of Maryland Baltimore and UMB Health Sciences Research Park  
Corporation  
Address: c/o Jon M. Laria, Esquire, Ballard Spahr LLP, 300 East Lombard Street, 18<sup>th</sup> Floor,  
Baltimore, Maryland 21202  
Telephone: 410-528-5506  
Introduced and read first time: May 9, 2011  
Assigned to: Land Use and Transportation Committee  
Committee Report: Favorable with amendments  
Council action: Adopted  
Read second time: June 13, 2011

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**AN ORDINANCE CONCERNING**

**Planned Unit Development – Designation –  
University of Maryland BioPark**

FOR the purpose of repealing the existing Development Plan for the UMB Biomedical Research  
Park; approving a new Development Plan for the University of Maryland BioPark Planned  
Unit Development; 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**

By Ordinance 03-613, the Mayor and City Council of Baltimore approved the application of  
University of Maryland Baltimore (“UMB”) and UMB Health Sciences Research Park  
Corporation (“RPC”) to have certain property, as more fully described therein, designated a  
Business Planned Unit Development and approved the Development Plan as submitted by the  
applicant. UMB and RPC have since developed portions of the property as part of the  
University of Maryland BioPark (the “BioPark”).

To facilitate expansion and further development of the BioPark, UMB and RPC wish to  
repeal Ordinance 03-613 and replace the existing Development Plan with one that will expand  
the existing boundaries of the Planned Unit Development to include the properties listed on  
Exhibit 1 attached hereto (collectively, the “Property”), and to also establish a new Development  
Plan.

**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.

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1 On April 28, 2011, UMB and RPC met with the Baltimore City Department of Planning for a  
2 preliminary conference, to explain the scope and nature of the proposed new Development Plan.

3 Representatives of UMB, RPC, and the other owners of the Property (collectively, the  
4 “Applicant”) have now applied to the Baltimore City Council for approval of the replacement  
5 Planned Unit Development, and they have submitted a Development Plan intended to satisfy the  
6 requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That  
8 Ordinance 03-613 is repealed.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the  
10 application of the University of Maryland Baltimore and UMB Health Sciences Research Park  
11 Corporation and the other owners of the properties listed on Exhibit 1, which is attached to and  
12 made part of this Ordinance, to designate the Property as a Business Planned Unit Development,  
13 under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the accompanying Development Plan  
15 submitted by the Applicant, entitled “University of Maryland BioPark” and consisting of Sheet  
16 1, “Existing Conditions”, dated ~~April 29~~ June 2, 2011, ~~and~~ Sheet 2, “Development Plan - Master  
17 Plan”, dated ~~April 29~~ June 2, 2011, Sheet 3, “Proposed Building Heights Plan”, dated June 2,  
18 2011, and Sheet 4, “Preliminary Landscape/Forest Conservation Plan”, dated June 2, 2011, is  
19 approved.

20 **SECTION 4. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title  
21 9, Subtitles 1 and 4, the following uses are allowed within the Planned Unit Development:

- 22 (a) all permitted, accessory and conditional uses, as allowed in the B-2 Zoning District,  
23 unless otherwise prohibited in Section 5;
- 24 (b) open off-street parking areas and off-street garages, other than accessory, for the  
25 parking of 4 or more motor vehicles; laboratories for research and testing; power and  
26 energy plants; food preparation and storage facilities; outpatient services and medical  
27 clinics; warehousing and storage; and manufacturing and distribution when accessory  
28 to a use otherwise permitted hereunder;
- 29 (c) outdoor table service when accessory to a restaurant, subject to design approval by  
30 the Planning Commission.

31 **SECTION 5. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title  
32 9, Subtitles 1 and 4, the following uses are not allowed as principal uses within the Planned Unit  
33 Development:

- 34 amusement arcades;  
35 animal hospitals;  
36 automobile accessory stores – including related repair and installation services;  
37 bowling establishments;  
38 bus and transit passenger stations and terminals (not including bus shelters for mass  
39 transit patrons);  
40 check cashing agencies;  
41 coin and philatelic stores;

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1 community correction centers;  
2 dance halls;  
3 department stores;  
4 exterminators' shops;  
5 firearm sales;  
6 ~~foster homes for children;~~  
7 fraternity and sorority houses – off campus;  
8 furrier shops – including accessory storage and conditioning of furs;  
9 gasoline service stations;  
10 laundries: hand;  
11 liquor stores: package goods;  
12 pawnshops;  
13 pool halls and billiard parlors;  
14 poultry and rabbit killing establishments;  
15 private clubs and lodges (profit and nonprofit);  
16 radio and television sales and service;  
17 restaurants: drive-in;  
18 taverns;  
19 taxidermist shops;  
20 telegraph offices;  
21 tennis and lacrosse clubs;  
22 trading stamp redemption centers;  
23 travel trailers;  
24 recreational vehicles and similar camping equipment: parking or storage;  
25 undertaking establishments and funeral parlors;  
26 upholstering shops;  
27 vending machines for the retail sale of ice or milk.

28 **SECTION 6. AND BE IT FURTHER ORDAINED,** That retail uses as principal uses (other than  
29 physical culture and health services) shall only be permitted on the ground and basement floors,  
30 and no single retail establishment within the Planned Unit Development shall occupy a space  
31 greater than 20,000 square feet.

32 **SECTION 7. AND BE IT FURTHER ORDAINED,** That parking shall be provided in accordance  
33 with the requirements shown on the Development Plan. The parking requirements may be  
34 satisfied within the Planned Unit Development, by application of Section 10-304 of the Zoning  
35 Code, or by parking spaces owned and/or controlled by the University of Maryland within its  
36 Baltimore City campus.

37 **SECTION 8. AND BE IT FURTHER ORDAINED,** That the property known as 859 West  
38 Baltimore Street shall not be regulated by this Ordinance until UMB, RPC, their affiliates, or  
39 their respective successors or assigns have acquired title to that property.

40 **SECTION 9. 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. AND BE IT FURTHER ORDAINED,** That the Planning Department shall determine  
45 what constitutes minor or major modifications to the Development Plan. Minor modifications

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1 require approval by the Planning Commission. Major modifications require approval by  
2 Ordinance.

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

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

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### Exhibit 1

#### List of Properties

1  
2  
3 800 West Baltimore Street  
4 830 West Baltimore Street  
5 10 N. Fremont Avenue  
6 12 N. Fremont Avenue  
7 802 West Fairmount Avenue  
8 801 West Fayette Street  
9 811 West Fayette Street  
10 813 West Fayette Street  
11 815 West Fayette Street  
12 817 West Fayette Street  
13 819 West Fayette Street  
14 821 West Fayette Street  
15 825 West Fayette Street  
16 829 West Fayette Street  
17 831 West Fayette Street  
18 833 West Fayette Street  
19 1 North Poppleton Street  
20 900 West Baltimore Street  
21 926 West Baltimore Street  
22 930 West Baltimore Street  
23 934 West Baltimore Street  
24 938 West Baltimore Street  
25 940 West Baltimore Street  
26 942 West Baltimore Street  
27 944 West Baltimore Street  
28 946 West Baltimore Street  
29 3 North Schroeder Street  
30 5 North Schroeder Street  
31 7 North Schroeder Street  
32 9 North Schroeder Street  
33 11 North Schroeder Street  
34 830 West Fairmount Avenue  
35 832 West Fairmount Avenue  
36 834 West Fairmount Avenue  
37 836 West Fairmount Avenue  
38 925 West Fairmount Avenue  
39 801 West Baltimore Street  
40 825 West Baltimore Street  
41 829 West Baltimore Street  
42 859 West Baltimore Street  
43 873 West Baltimore Street  
44 901 West Baltimore Street  
45 903 West Baltimore Street  
46 905 West Baltimore Street  
47 917 West Baltimore Street  
48 919 West Baltimore Street  
49 921 West Baltimore Street

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- 1 923 West Baltimore Street
- 2 925 West Baltimore Street
- 3 927 West Baltimore Street
- 4 929 West Baltimore Street
- 5 935 West Baltimore Street
- 6 937 West Baltimore Street
- 7 939 West Baltimore Street
- 8 941 West Baltimore Street
- 9 943 West Baltimore Street
- 10 945 West Baltimore Street
- 11 947 West Baltimore Street
- 12 8 South Poppleton Street
- 13 10 South Poppleton Street
- 14 12 South Poppleton Street
- 15 14 South Poppleton Street
- 16 916 Booth Street
- 17 934 Booth Street
- 18 936 Booth Street
- 19 938 Booth Street
- 20 940 Booth Street
- 21 942 Booth Street
- 22 2 South Amity Street
- 23 4 South Amity Street
- 24 6 South Amity Street
- 25 8 South Amity Street
- 26 Open Space – Northside Baltimore Street and Martin Luther King Jr. Boulevard (as shown in
- 27 Development Plan)
- 28 Open Space – Southside Baltimore Street and Martin Luther King Jr. Boulevard (as shown in
- 29 Development Plan)

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Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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