

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 16-0757

Introduced by: Councilmembers Curran, Clarke
At the request of: Northwood SC, LLC
Address: c/o Caroline L. Hecker, Esquire, 25 South Charles Street, Suite 21st Floor, Baltimore,
Maryland 21201
Telephone: 410-727-6600
Introduced and read first time: September 19, 2016
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: October 20, 2016

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Northwood Commons

FOR the purpose of repealing the existing Development Plan for the Loch Raven Boulevard and Argonne Drive Planned Unit Development, and approving a new Development Plan for the property, to be known as Northwood Commons Planned Unit Development.

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

Recitals

By Ordinance 77-501, amended by Ordinances 91-676 and 99-383, the Mayor and City Council of Baltimore approved application of the Northwood Company to have certain property located northeast of the intersection of Loch Raven Boulevard and Argonne Drive, consisting of 10.82 acres, more or less, designated as a Business Planned Unit Development and approved the Development Plan submitted by the applicant.

The current owner of the property, Northwood SC, LLC, now wants to redevelop the property and to replace the existing Development Plan with one that will facilitate the proposed redevelopment. The Applicant has entered into a Memorandum of Understanding with the Hillen Road Improvement Association, the New Northwood Community Association, Inc., the Original Northwood Association, and the Stonewood-Pentwood-Winston Neighborhood Association, dated September 28, 2016, which is recorded among the Land Records of Baltimore City.

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 August 10, 2016, representatives of the applicant met with the Department of Planning
2 for a preliminary conference, to explain the scope and nature of the new Development Plan for
3 proposed development on the property and to institute proceedings to have the property
4 designated a 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 Business Planned Unit Development, and they have submitted a
7 Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the
8 Baltimore City Zoning Code.

9 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
10 Ordinances 77-501, 91-676, and 99-383 are hereby repealed.

11 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council of Baltimore
12 approves the application of Northwood SC, LLC, to designate the property as a Business Planned
13 Unit Development, under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
15 replacement of the Planned Unit Development and approves the new Development Plan
16 submitted by the applicant, as attached to and made part of this Ordinance, including:

17 ~~(a) Sheet 1, “Existing Conditions”, dated September 13, 2016; and~~

18 ~~(b) Sheet 2, “Development Plan”, dated September 13, 2016.~~

19 (a) Sheet 1, “Existing Conditions Plan”, dated October 6, 2016;

20 (b) Sheet 2, “Proposed Conditions Plan - Street Level”, dated October 6, 2016;

21 (c) Sheet 3, “Outdoor Seating Plan”, dated October 6, 2016;

22 (d) Sheet 4, “Proposed Conditions Plan - Lower, Second and Apartment Levels”, dated
23 October 6, 2016; and

24 (e) Sheet 5, “Sectional Views”, dated October 6, 2016.

25 **SECTION 4. AND BE IT FURTHER ORDAINED,** That in accordance with Title 9, Subtitles 1 and
26 4 of the Baltimore City Zoning Code, the following uses are permitted within the Planned Unit
27 Development:

28 (a) All permitted, accessory, and conditional uses as allowed in the underlying Zoning
29 District.

30 (b) Outdoor seating and table service.

31 (c) The following additional use is specifically permitted within Area D of the Planned
32 Unit Development:

33 Drive-in restaurants (including pick-up drives with window service).

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1 **SECTION 5. AND BE IT FURTHER ORDAINED, That the following uses are prohibited within**
2 **the Planned Unit Development:**

3 (a) Adult entertainment;

4 (b) After hours establishments;

5 (c) Amusement parks and permanent carnivals;

6 (d) Arcades;

7 (e) Automobile painting shops;

8 (f) Bail bondsmen;

9 (g) Books or video stores - adult;

10 (h) Check cashing establishments;

11 (i) Community corrections centers;

12 (j) Contractor construction shops and yards;

13 (k) Firearms and ammunition sales;

14 (l) Fraternity and sorority houses;

15 (m) Garages, other than accessory, for storage, repair and servicing of motor vehicles
16 not over 1½ tons capacity - including body repair, painting, and engine rebuilding;

17 (n) Highway maintenance shops and yards;

18 (o) Mobile home sales;

19 (p) Parole and probation centers;

20 (q) Pawnshops;

21 (r) Payday loan shops;

22 (s) Peep show establishments;

23 (t) Rooming houses;

24 (u) Stables for horses;

25 (v) Stadiums;

26 (w) Tattoo parlors;

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- 1 (x) Taxidermist shops;
- 2 (y) Tobacco shops; and
- 3 (z) Video lottery facilities.

4 ~~**SECTION 5. AND BE IT FURTHER ORDAINED,** That the provisions of the Memorandum of~~
5 ~~Understanding, dated August 31, 2016, between the applicant, the Hillen Road Improvement~~
6 ~~Association, the New Northwood Community Association, Inc., the Original Northwood~~
7 ~~Association, and the Stonewood-Pentwood-Winston Neighborhood Association, are incorporated~~
8 ~~herein.~~

9 **SECTION 6. AND BE IT FURTHER ORDAINED,** That all plans for the construction of permanent
10 improvements on the property are subject to final design approval by the Planning Commission
11 to insure that the plans are consistent with the Development Plan and this Ordinance.

12 **SECTION 7. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
13 what constitutes minor or major modifications of the Plan. Minor modifications require approval
14 by the Planning Commission. Major modifications require approval by Ordinance.

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

23 **SECTION 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
24 after the date it is enacted.

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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