

**CITY OF BALTIMORE
COUNCIL BILL 08-0025
(First Reader)**

Introduced by: Councilmember Reisinger

At the request of: Gateway South, LLC

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Introduced and read first time: January 28, 2008

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, Baltimore City Parking Authority Board, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Gateway South**

3 FOR the purpose of approving the application of the Mayor and City Council of Baltimore and
4 Gateway South, LLC, which are either the owner, potential owner, developer, and/or contract
5 purchaser of the following properties: 1501, 1601, 1629, 1633, and 1645 Warner Street; 2110
6 and 2119 Haines Street; 1501, 1525, and 1551 Russell Street; 2102 Oler Street; 2104
7 Worcester Street; and portions of Warner Street, Russell Street, Worcester Street, Bayard
8 Street, Haines Street, Oler Street, and South Eutaw Street (collectively, the “Property”); to
9 have the Property designated a Business Planned Unit Development; and approving the
10 Development Plan submitted by the applicant.

11 BY authority of

12 Article - Zoning

13 Title 9, Subtitles 1 and 4

14 Baltimore City Revised Code

15 (Edition 2000)

16 **Recitals**

17 The Mayor and City Council of Baltimore and Gateway South, LLC, are either the owner,
18 potential owner, developer, and/or contract purchaser of the following properties: 1501, 1601,
19 1629, 1633, and 1645 Warner Street; 2110 and 2119 Haines Street; 1501, 1525, and 1551
20 Russell Street; 2102 Oler Street; 2104 Worcester Street; and portions of Warner Street, Russell
21 Street, Worcester Street, Bayard Street, Haines Street, Oler Street, and South Eutaw Street.
22 Gateway South, LLC, plans to develop the Property, consisting of 15.15 acres, more or less, for
23 business and industrial uses.

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

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1 On November 26, 2007, representatives of the applicant met with the Department of
2 Planning for a preliminary conference, to explain the scope and nature of existing and proposed
3 development on the Property and to institute proceedings to have the Property designated a
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 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 the
10 Mayor and City Council approves the application of the Mayor and City Council of Baltimore
11 and Gateway South, LLC, which is either the owner, potential owner, developer, and/or contract
12 purchaser of the following properties: 1501, 1601, 1629, 1633, and 1645 Warner Street; 2110
13 and 2119 Haines Street; 1501, 1525, and 1551 Russell Street; 2102 Oler Street; 2104 Worcester
14 Street; and portions of Warner Street, Russell Street, Worcester Street, Bayard Street, Haines
15 Street, Oler Street, and South Eutaw Street, consisting of 15.15 acres, more or less, as outlined
16 on the accompanying Development Plan entitled “Gateway South”, to designate the Property a
17 Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City
18 Zoning Code.

19 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan entitled “Gateway
20 South”, submitted by the applicant Gateway South LLC, consisting of Sheet 1, “Existing
21 Conditions Plan”, dated November 28, 2007; Sheet 2, “Development Plan”, dated January 21,
22 2008; Sheet 3, “Conceptual Massing Plan”, dated November 28, 2007; and Sheet 4, “Conceptual
23 Landscape Plan”, dated January 21, 2008, is approved.

24 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
25 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

26 (a) The following principal uses are permitted within the Planned Unit Development:

27 (1) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning
28 District.

29 (2) after-hours establishments; artisans’ and craft work; amusement arcades;
30 amusement parks; auditoriums and concert halls; bakeries - including sales of
31 bakery products to restaurants, hotels, clubs, and similar establishments; bakery
32 goods: manufacturing; banquet halls; non-motorized boats, sales and rental; bus
33 and transit passenger stations and terminals; dance halls; food commissaries;
34 garages for bus and transit vehicles; garden supply, tool and seed stores with
35 storage and display of merchandise for sale to the public; greenhouses; hardware
36 stores; helistops; laboratories: research and testing; maritime suppliers; miniature
37 golf; model slot car racing centers; motor vehicles: rental; motor vehicles: sales,
38 indoor; outdoor table service and outdoor seating when accessory to any allowed
39 use; parcel collection and delivery stations; temporary parking, open off-street,
40 for the parking of 4 or more vehicles, subject to final design approval by the
41 Planning Commission; photoengraving; photographic printing and developing
42 establishments; plumbing, heating, and electrical equipment showrooms and
43 shops; pool halls and billiard parlors; printing and publishing; recreational
44 facilities: indoor; recreational facilities: outdoor; repeater, transformer, pumping,

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1 booster, conditioning and regulations stations and similar installations; restaurants
2 - including live entertainment and dancing; second-hand stores; sports complex;
3 schools: trade; skating rink; taverns - including live entertainment and dancing;
4 tennis or racquet club: indoor; theaters; and wholesale establishments.

5 (3) “Sports complex”, as used herein, shall be defined as a facility used for
6 recreational and athletic purposes.

7 (b) The following principal uses are prohibited within the Planned Unit Development:

8 automobile service stations; bed and breakfast establishments; check cashing
9 agencies; community correction centers; dwellings; firearm sales; foster homes for
10 children; fraternity and sorority houses; parking or storage of travel trailers and
11 similar camping equipment; pawn shops; poultry and rabbit killing establishments;
12 rooming and boarding houses for three or more roomers; taxidermists’ shops;
13 telegraph offices; trading stamp redemption centers; and undertaking establishments
14 and funeral parlors.

15 **SECTION 4. AND BE IT FURTHER ORDAINED,** That height and massing shall be as set forth on
16 Sheet 3 of the Development Plan.

17 **SECTION 5. AND BE IT FURTHER ORDAINED,** That the number of parking spaces required for
18 the Planned Unit Development shall be determined by the Planning Commission at the time of
19 final design approval, at which time the Planning Commission shall take into consideration
20 proposed uses that have different peak parking characteristics that complement each other, so
21 that the parking spaces provided may reasonably be shared by proposed uses, and an excess of
22 parking is not provided by the strict application of standard parking requirements.

23 **SECTION 6. AND BE IT FURTHER ORDAINED,** That the properties designated as being part of
24 the Business Planned Unit Development under this Ordinance shall not be regulated by this
25 Ordinance until the City or Gateway South, LLC, or its successors or assigns, has acquired title
26 to the properties.

27 **SECTION 7. AND BE IT FURTHER ORDAINED,** That the exterior signage within the Planned
28 Unit Development shall be subject to final design review and approval by the Planning
29 Commission.

30 **SECTION 8. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
31 permanent improvements on the Property within the Planned Unit Development must be
32 reviewed by the Planning Commission to ensure that the plans are consistent with the
33 Development Plan and this Ordinance. Final design approval shall be granted to the Planning
34 Commission.

35 **SECTION 9. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
36 what constitutes minor or major modifications to the Plan. Minor modifications require approval
37 by the Planning Commission. Major modifications require approval by Ordinance.

38 **SECTION 10. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
39 accompanying Development Plan and in order to give notice to the agencies that administer the
40 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
41 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 11. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th
6 day after the date it is enacted.