

**CITY OF BALTIMORE
COUNCIL BILL 08-0111
(First Reader)**

Introduced by: Councilmember Kraft

At the request of: South Broadway Properties, LLC

Address: Stanley S. Fine, Esquire, 25 South Charles Street, Suite 2115, Baltimore, Maryland
21201

Telephone: 410-727-6600

Introduced and read first time: April 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 – Amendment 1 –**
3 **Marketplace at Fell’s Point**

4 FOR the purpose of approving certain amendments to the Development Plan of the Marketplace
5 at Fell’s Point Planned Unit Development.

6 BY authority of

7 Article - Zoning

8 Title 9, Subtitles 1 and 4

9 Baltimore City Revised Code

10 (Edition 2000)

11 **Recitals**

12 By Ordinance 07-435, the Mayor and City Council approved the application of South
13 Broadway Properties, LLC, which is either the owner, potential owner, developer and/or contract
14 purchaser of the following properties: 600, 602, 606, 610, 616, 622, 607, 609, 611, 617, 619,
15 621, 623, 625, and 627 South Broadway; 611, 613, 615, 617, 619, 621, and 623 South Bethel
16 Street; 1621, 1625-1631, and 1641 Fleet Street; 608 and 614 South Register Street; 1640 and
17 1641 Aliceanna Street; and 1641 Lancaster Street (collectively, the “Property”), consisting of
18 4.405 acres, more or less, to designate the Property as a Business Planned Unit Development and
19 approved the Development Plan submitted by the applicant.

20 South Broadway Properties, LLC, wishes to amend the Development Plan, as previously
21 approved by the Mayor and City Council, to modify the boundaries of the Business Planned Unit
22 Development by increasing the area of the property included within the Planned Unit

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

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1 Development, to amend the height limitations in certain areas within the Planned Unit
2 Development, to increase the number of permitted dwelling units, and to reduce the off-street
3 parking ratio for residential units.

4 On April 18, 2008, representatives of South Broadway Properties, LLC, met with the
5 Department of Planning for a preliminary conference to explain the scope and nature of the
6 proposed amendments to the Development Plan.

7 The representatives of South Broadway Properties, LLC, have now applied to the Baltimore
8 City Council for approval of these amendments, and they have submitted amendments to the
9 Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the
10 Baltimore City Zoning Code.

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
12 Mayor and City Council approves the amendments to the Development Plan submitted by the
13 Developer, as attached to and made part of this Ordinance, including Sheet 1, "Existing
14 Conditions Plan", dated April 16, 2008, and Sheet 2, "Development Plan", dated April 16, 2008.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the boundaries of the Planned Unit
16 Development are modified to include 620 South Broadway, 616 South Regester Street, 1630
17 Aliceanna Street, and 920/950 South Broadway; however, these properties shall not be regulated
18 by this Ordinance until the City or South Broadway Properties, LLC, or its successors or assigns,
19 has acquired title to the properties. With these properties, the Planned Unit Development
20 consists of 5.91 acres, more or less.

21 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Section 4 of Ordinance 07-435 is
22 amended to read as follows:

23 SECTION 4. AND BE IT FURTHER ORDAINED, That off-street parking
24 requirements for the Planned Unit Development are as follows: (1) residential -
25 [1.5 spaces] 1 SPACE per dwelling unit, 75% OF WHICH SHALL BE PROVIDED
26 WITHIN THE PLANNED UNIT DEVELOPMENT AND THE REMAINING 25% PROVIDED
27 IN THE FLEET & EDEN PARKING GARAGE LOCATED AT 501 EDEN STREET, OR IN
28 ANOTHER PARKING FACILITY; AND [(2) office - 1 space per 800 square feet in
29 excess of 2,000 square feet of office use; (3) retail including restaurants - 1 space
30 per 600 square feet in excess of 4,000 square feet of retail use; and (4)] (2) all
31 other uses - as required by the underlying zoning OR AS AUTHORIZED BY THE
32 BOARD OF MUNICIPAL AND ZONING APPEALS.

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

37 **SECTION 5. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
38 accompanying amended Development Plan and in order to give notice to the agencies that
39 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
40 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
41 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
42 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
43 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the

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

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