

Council Bill 11-0761

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

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
6 Mayor and City Council approves the application of BCP Investors, LLC, to designate the
7 Property known as Block 6505, Lots 1/9, 9A, and 10, consisting of 32.39 acres, more or less, as
8 outlined on the accompanying Development Plan entitled “BCP The District at Canton Crossing
9 PUD”, dated ~~August~~ October 19, 2011, to designate the property a Business Planned Unit
10 Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

11 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Development Plan submitted by the
12 applicant and consisting of ~~Exhibit A, “Existing Conditions Plan”, dated August 2011, and~~
13 ~~Exhibit B1, “Development Plan”, dated August 2011~~ Sheet 1, “Existing Conditions Plan”, Sheet
14 2, “Development Plan - Phase I”, Sheet 3, “Development Plan - Phase II”, Sheet 4, “Preliminary
15 Landscape Plan”, Sheet 5, “Site Massing Views”, and Sheet 6, “Conceptual Perspective”, all
16 plans dated August 2011 and revised October 19, 2011, is approved.

17 **SECTION 3. AND BE IT FURTHER ORDAINED**, That in accordance with the provisions of Title
18 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

- 19 (a) all permitted, accessory, and conditional uses as allowed in the B-2 Zoning District;
- 20 (b) motor vehicles - rental;
- 21 (c) outdoor table service when accessory to a permitted use; and
- 22 (d) outdoor storage, display, and sales areas.

23 **SECTION 4. AND BE IT FURTHER ORDAINED**, That the following use is prohibited within the
24 Planned Unit Development:

- 25 (a) dwellings.

26 **SECTION 5. AND BE IT FURTHER ORDAINED**, That there shall be no pedestrian or vehicular
27 access between the southern boundary of the Planned Unit Development between Baylis Street
28 and Haven Street, and the property known as the Canton Branch. Any modification to this
29 provision shall be considered a major amendment to the Planned Unit Development, which
30 requires approval by Ordinance.

31 **SECTION 6. AND BE IT FURTHER ORDAINED**, That when reviewing plans for final design
32 approval, subject to the provisions of the Zoning Code regarding off-street parking and Planned
33 Unit Developments, the Planning Commission may take into consideration proposed uses that
34 have different peak parking characteristics that complement each other, so that the parking spaces
35 provided may reasonably be shared by proposed uses, and an excess of parking is not provided by
36 strict cumulation of the parking requirements of the Zoning Code.

37 **SECTION 7. AND BE IT FURTHER ORDAINED**, That all plans for the construction of
38 permanent improvements on the Property are subject to final design approval by the Planning

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1 Commission to insure that the plans are consistent with the Development Plan and this
2 Ordinance.

3 **SECTION 7 8. AND BE IT FURTHER ORDAINED**, That the Planning Department may determine
4 what constitutes minor or major modifications to the Plan. Minor modifications require approval
5 by the Planning Commission. Major modifications require approval by Ordinance.

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

14 **SECTION 9 10. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th
15 day after the date it is enacted.

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