## CITY OF BALTIMORE ORDINANCE Council Bill 11-0761

Introduced by: Councilmembers Kraft, D'Adamo
At the request of: BCP Investors, LLC
Address: c/o Stanley S. Fine, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles
Street, Suite 2115, Baltimore, Maryland 21201
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Introduced and read first time: August 15, 2011
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: November 14, 2011

## AN ORDINANCE CONCERNING

1	Planned Unit Development – Designation – BCP The District at Canton Crossing PUD
2	FOR the purpose of approving the application of BCP Investors, LLC, and Exxon Mobil
3	Corporation, which are the owner and ground lessee of Block 6505, Lots 1/9, 9A, and 10
4	(collectively, the "Property"), to have the Property designated a Business Planned Unit
5	Development; and approving the Development Plan submitted by the applicant.
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	BCP Investors, LLC (the "applicant"), is the owner of Block 6505, Lots 1/9 and 10 and the
13	ground lessee of Block 6505, Lot 9A (collectively, the "Property"), consisting of 32.39 acres,
14	more or less.
15	BCP Investors, LLC, proposes to develop the Property for business uses.
16	On August 2, 2011, representatives of the applicant met with the Department of Planning for
17	a preliminary conference, to explain the scope and nature of existing and proposed development
18	on the property and to institute proceedings to have the property designated a Business Planned
19	Unit Development.

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 2 3 4	The representatives of the applicant have now applied to the Baltimore City Council for designation of the Property as a Business Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.
5 6 7 8 9 10	<b>SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE</b> , That the Mayor and City Council approves the application of BCP Investors, LLC, to designate the Property known as Block 6505, Lots 1/9, 9A, and 10, consisting of 32.39 acres, more or less, as outlined on the accompanying Development Plan entitled "BCP The District at Canton Crossing PUD", dated August October 19, 2011, to designate the property a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.
11 12 13 14 15 16	<b>SECTION 2. AND BE IT FURTHER ORDAINED</b> , That the Development Plan submitted by the applicant and consisting of Exhibit A, "Existing Conditions Plan", dated August 2011, and Exhibit B1, "Development Plan", dated August 2011 Sheet 1, "Existing Conditions Plan", Sheet 2, "Development Plan - Phase I", Sheet 3, "Development Plan - Phase II", Sheet 4, "Preliminary Landscape Plan", Sheet 5, "Site Massing Views", and Sheet 6, "Conceptual Perspective", all plans dated August 2011 and revised October 19, 2011, is approved.
17 18	<b>SECTION 3. AND BE IT FURTHER ORDAINED</b> , That in accordance with the provisions of Title 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 24	<b>SECTION 4. AND BE IT FURTHER ORDAINED</b> , That the following use is prohibited within the Planned Unit Development:
25	(a) dwellings.
26 27 28 29 30	SECTION 5. AND BE IT FURTHER ORDAINED, That there shall be no pedestrian or vehicular access between the southern boundary of the Planned Unit Development between Baylis Street and Haven Street, and the property known as the Canton Branch. Any modification to this provision shall be considered a major amendment to the Planned Unit Development, which requires approval by Ordinance.
31 32 33 34 35 36	<b>SECTION 5 6. AND BE IT FURTHER ORDAINED,</b> That when reviewing plans for final design approval, subject to the provisions of the Zoning Code regarding off-street parking and Planned Unit Developments, the Planning Commission may take into consideration proposed uses that have different peak parking characteristics that complement each other, so that the parking spaces provided may reasonably be shared by proposed uses, and an excess of parking is not provided by strict cumulation of the parking requirements of the Zoning Code.
37 38	<b>SECTION 6 7. AND BE IT FURTHER ORDAINED</b> , That all plans for the construction of permanent improvements on the Property are subject to final design approval by the Planning

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1 2	Commission to insure that the plans are consistent with the Development Plan and this Ordinance.
3 4 5	<b>SECTION 7 8. AND BE IT FURTHER ORDAINED</b> , That the Planning Department may determine what constitutes minor or major modifications to the Plan. Minor modifications require approval by the Planning Commission. Major modifications require approval by Ordinance.
6 7 8 9 10 11 12 13	SECTION 8 9. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying Development Plan and in order to give notice to the agencies that administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of Housing and Community Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.
14 15	<b>SECTION 9 10. AND BE IT FURTHER ORDAINED,</b> That this Ordinance takes effect on the 30 <sup>th</sup> 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
	Mayor, Baltimore City