

**CITY OF BALTIMORE
COUNCIL BILL 16-0716
(First Reader)**

Introduced by: Councilmember Clarke

At the request of: Roland Park Place, Inc.

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Introduced and read first time: July 18, 2016

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, Fire Department, Baltimore Development Corporation, Department of Transportation, Office of Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Roland Park Place**

3 FOR the purpose of repealing the existing Development Plan for Roland Park Place and
4 approving a new Development Plan for the Roland Park Place Planned Unit Development.

5 BY authority of

6 Article - Zoning
7 Title 9, Subtitles 1 and 2
8 Baltimore City Revised Code
9 (Edition 2000)

10 **Recitals**

11 By Ordinance 80-16, as amended by Ordinances 86-658 and 95-508, the Mayor and City
12 Council of Baltimore approved applications to have certain property located at 830 West 40th
13 Street designated a Residential Planned Unit Development and approved the Development Plan
14 as submitted by the applicants. The current owner of the property, Roland Park Place, Inc., a not-
15 for-profit organization (the “applicant”) has since developed portions of the property as Roland
16 Park Place to provide housing, services, and health care for the elderly.

17 To facilitate the expansion and further development of Roland Park Place, the applicant
18 wishes to repeal Ordinances 80-16, 86-658, and 95-508 and to replace the existing Development
19 Plan with one that will allow limited increased development.

20 On June 30, 2016, representatives of the applicant met with the Department of Planning for a
21 preliminary conference, to explain the scope and nature of the proposed new Development Plan
22 on the property and to institute proceedings to have the property designated a Residential Planned
23 Unit Development.

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

Council Bill 16-0716

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

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
6 Ordinances 80-16, 86-658, and 95-508 are repealed.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
8 application of Roland Park Place, Inc., the owner of the property located at 830 West 40th Street,
9 consisting of 8 acres, more or less, as outlined on the accompanying Development Plan entitled
10 “Roland Park Place”, to designate the property a Residential Planned Development under Title 9,
11 Subtitles 1 and 2 of the Baltimore City Zoning Code.

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

15 (a) Sheet 1, “DP-1 Existing Conditions Plan”, dated June 15, 2016;

16 (b) Sheet 2, “DP-2 Major PUD Plan Amendment”, dated June 15, 2016; and

17 (c) Sheet 3, “L2.0 Conceptual Landscape Plan”, dated June 15, 2016.

18 **SECTION 4. AND BE IT FURTHER ORDAINED,** That in accordance with Title 9, Subtitles 1 and
19 2 of the Baltimore City Zoning Code, the following uses are permitted within the Planned Unit
20 Development:

21 (a) All permitted, accessory, and conditional uses as allowed in the R-5 Zoning District.

22 (b) The following additional uses are specifically permitted in the Planned Unit
23 Development:

24 (1) Convalescent, nursing, and rest homes, including assisted living and/or
25 memory care, not to exceed a total of 88 beds.

26 (2) Multiple-family dwellings or housing for the elderly, not to exceed a total of
27 230 dwellings units.

28 (3) Uses accessory to those listed above, including, but not limited to, a wellness
29 center, resident amenity space, and staff offices.

30 **SECTION 5. AND BE IT FURTHER ORDAINED,** That the applicant shall maintain continued
31 communication with the Roland Park Civic League Advisory Committee throughout the
32 development of the Planned Unit Development and shall discuss with the Advisory Committee
33 any issues that arise as a result of the construction. The applicant and the Advisory Committee
34 shall work together in good faith to implement measures to alleviate any construction debris or
35 noise that exceeds the limitations enumerated in the Baltimore City Code, including the
36 following:

Council Bill 16-0716

- 1 (a) The applicant shall designate a member of its staff to serve as a construction liaison
2 and a link to the community news website that the neighbors may contact in the event
3 of a disturbance caused by construction;
- 4 (b) The applicant shall periodically update the neighbors on the construction and advise
5 them in advance of any extraordinary noise, dust, fumes, or debris from the
6 construction; and
- 7 (c) The applicant shall provide the community and neighbors with construction updates
8 through its website: www.rppcommunitynews.com.

9 **SECTION 6. AND BE IT FURTHER ORDAINED**, That all lighting and fencing shown on the
10 Development Plan must be constructed prior to the issuance of the Use and Occupancy Permit
11 for the proposed new building.

12 **SECTION 7. AND BE IT FURTHER ORDAINED**, That all landscaping shown on the
13 Development Plan must be installed within 12 months of the Use and Occupancy Permit for the
14 new building.

15 **SECTION 8. AND BE IT FURTHER ORDAINED**, That all plans for the construction of permanent
16 improvements on the property are subject to final design approval by the Planning Commission
17 to insure that the plans are consistent with the Development Plan and this Ordinance.

18 **SECTION 9. AND BE IT FURTHER ORDAINED**, That the Planning Department may determine
19 what constitutes minor or major modifications of the Plan. Minor modifications require approval
20 by the Planning Commission. Major modifications require approval by Ordinance.

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

29 **SECTION 11. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30th
30 day after the date it is enacted.