

**CITY OF BALTIMORE
COUNCIL BILL 11-0672
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Baltimore Development Corporation)
Introduced and read first time: March 14, 2011
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, Department of General Services, Fire Department, Baltimore Development Corporation, Baltimore City Parking Authority Board, Department of Transportation, Commission on Sustainability

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – 6709 Pulaski Highway**

3 FOR the purpose of approving the application of the Mayor and City Council of Baltimore and
4 the New Pulaski Company Limited Liability Limited Partnership, which are respectively the
5 owner and the ground lessee of 6709 Pulaski Highway, to have that property designated an
6 Industrial Planned Unit Development; and approving the Development Plan submitted by the
7 applicant.

8 BY authority of
9 Article - Zoning
10 Title 9, Subtitles 1 and 5
11 Baltimore City Revised Code
12 (Edition 2000)

13 **Recitals**

14 The Mayor and City Council of Baltimore and the New Pulaski Company Limited Liability
15 Limited Partnership are respectively the owner and the ground lessee of 6709 Pulaski Highway.
16 The New Pulaski Company Limited Liability Limited Partnership intends to develop the
17 property, consisting of 19.13 acres, more or less, for business and industrial uses.

18 On September 22, 2010, representatives of the applicant met with the Department of
19 Planning for a preliminary conference, to explain the scope and nature of existing and proposed
20 development on the property and to institute proceedings to have the property designated an
21 Industrial Planned Unit Development.

22 The representatives of the applicant have now applied to the Baltimore City Council for
23 designation of the property as an Industrial Planned Unit Development, and they have submitted
24 a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the
25 Baltimore City Zoning Code.

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

Council Bill 11-0672

1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
2 Mayor and City Council approves the application of the Mayor and City Council of Baltimore
3 and the New Pulaski Company Limited Liability Limited Partnership, who are respectively the
4 owner and the ground lessee of the property known as 6709 Pulaski Highway, consisting of
5 19.13 acres, more or less, as outlined on the accompanying Development Plan entitled “6709
6 Pulaski Highway”, dated September 8, 2010, to designate the property an Industrial Planned Unit
7 Development under Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

8 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the
9 applicant, consisting of Sheet C-1, “Existing Conditions”, dated October 5, 2010, Sheet C-2,
10 “Preliminary Retail Concept Plan”, dated October 5, 2010, Sheet C-3, “Preliminary Warehouse
11 Concept Plan”, dated October 5, 2010, and Sheet C-4, “Preliminary Mixed Use Concept Plan”,
12 dated October 5, 2010, is approved.

13 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
14 9, Subtitles 1 and 5, the following uses are permitted within the Planned Unit Development:

- 15 (a) all permitted, accessory, and conditional uses as allowed in the M-2 Zoning District;
- 16 (b) all permitted, accessory, and conditional uses as allowed in the B-3 Zoning District;
- 17 and
- 18 (c) other storage uses as permitted under § 7-406(82) of the Zoning Code.

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

- 21 (a) dwellings.

22 **SECTION 5. AND BE IT FURTHER ORDAINED,** That when reviewing plans for final design
23 approval, the Planning Commission may take into consideration proposed uses that have
24 different peak parking characteristics that complement each other, so that the parking spaces
25 provided may reasonably be shared by proposed uses, and an excess of parking is not provided
26 by strict cumulation of the parking requirements of the Zoning Code.

27 **SECTION 6. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
28 permanent improvements on the property are subject to final design approval by the Planning
29 Commission to insure that the plans are consistent with the Development Plan and this
30 Ordinance.

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

34 **SECTION 8. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
35 accompanying Development Plan and in order to give notice to the agencies that administer the
36 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
37 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
38 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
39 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning

Council Bill 11-0672

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

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