

**CITY OF BALTIMORE
COUNCIL BILL 06-0552
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Planning)
Introduced and read first time: December 4, 2006
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 5 – Lighthouse Point**

3 FOR the purpose of approving certain amendments to the Development Plan of the Lighthouse
4 Point Planned Unit Development.

5 BY authority of

6 Article - Zoning
7 Title 9, Subtitles 1 and 4
8 Baltimore City Revised Code
9 (Edition 2000)

10 **Recitals**

11 By Ordinance 87-1169, as amended by Ordinance 89-413, Ordinance 95-572, and Ordinance
12 96-96, the Mayor and City Council approved the application of East Harbor Marine Center,
13 L.L.C., to designate 4 parcels of land known as 2701 Boston Street, 1222 South Lakewood
14 Avenue, and 1210 South Lakewood Avenue (that consists of 2 parcels) and 2 riparian rights
15 parcels located in Baltimore City on the southwest side of Boston Street known as 2711 and
16 2727 Boston Street, collectively consisting of 11.263 acres of fast land, more or less, together
17 with a pier containing approximately 1 acre, and together with the adjacent riparian area,
18 consisting of 19.990 acres of riparian rights, more or less, as the Lighthouse Point Planned Unit
19 Development and approved the Development Plan submitted by the applicant.

20 East Harbor Marine Center, L.L.C., wishes to amend the Development Plan, as previously
21 approved by the Mayor and City Council, to revise permitted uses and certain height restrictions
22 in certain areas of the Planned Unit Development.

23 On November 10, 2006, representatives of East Harbor Marine Center, L.L.C., met with the
24 Department of Planning for a preliminary conference to explain the scope and nature of the
25 proposed amendments to the Development Plan.

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

Council Bill 06-0552

1 The representatives of East Harbor Marine Center, L.L.C., have now applied to the Baltimore
2 City Council for approval of these amendments, and they have submitted amendments to the
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 amendments to the Development Plan submitted by the
7 Developer, as attached to and made part of this Ordinance, including Exhibit A, “Existing
8 Conditions Plan”, dated November 14, 2006, and Exhibit B, “Development Plan”, dated
9 November 14, 2006.

10 **SECTION 2. AND BE IT FURTHER ORDAINED,** That Section 3(a) of Ordinance 95-572 is
11 amended to read as follows:

12 SEC. 3. AND BE IT FURTHER ORDAINED, That in accordance with the
13 provisions of [Section 12-0-4(a)] TITLE 9, SUBTITLE 4 OF THE ZONING CODE, the
14 following uses are permitted within the Planned Unit Development:

- 15 (a) All [uses] permitted, ACCESSORY, AND CONDITIONAL USES AS ALLOWED IN THE
16 B-3 ZONING DISTRICT [by the provisions of Article 30, Section 6.3.1].

17 **SECTION 3. AND BE IT FURTHER ORDAINED,** That Section 3(b)19 of Ordinance 95-572 is
18 amended to read as follows:

19 SEC. 3. AND BE IT FURTHER ORDAINED, That in accordance with the
20 provisions of [Section 12-0-4(a)] TITLE 9, SUBTITLE 4 OF THE ZONING CODE, the
21 following uses are permitted within the Planned Unit Development:

- 22 (b) In addition:

23 19. [future midrise apartment building limited to 80 units and a height of 72
24 feet.] RESIDENTIAL BUILDING WITH 160 UNITS AND A HEIGHT OF 240 FEET.

25 **SECTION 4. AND BE IT FURTHER ORDAINED,** That Section 5(b) of Ordinance 95-572 is
26 amended to read as follows:

27 SEC. 5. AND BE IT FURTHER ORDAINED, That:

- 28 (b) The maximum height of buildings on the Property shall be as set forth on the
29 Development Plan; however, WITH THE EXCEPTION OF THE HEIGHT LIMITATION
30 PROVIDED IN SECTION 3(B)19, no building shall exceed 72 feet in height.

31 **SECTION 5. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
32 permanent improvements on the property are subject to final design approval by the Planning
33 Commission to insure that the plans are consistent with the Development Plan and this
34 Ordinance.

35 **SECTION 6. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
36 accompanying amended Development Plan and in order to give notice to the agencies that
37 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
38 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor

Council Bill 06-0552

1 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
2 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
3 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
4 Commissioner of Housing and Community Development, the Supervisor of Assessments for
5 Baltimore City, and the Zoning Administrator.

6 **SECTION 7. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
7 after the date it is enacted.