

Introduced by: Councilmember Costello

At the request of: MCB 300 East LLC

Address: c/o P. David Bramble, 2701 North Charles Street, Suite 400, Baltimore, Maryland
21218

Telephone: 410-662-0105

Prepared by: Department of Legislative Reference

Date: June 11, 2019

Referred to: LAND USE AND TRANSPORTATION Committee

Also referred for recommendation and report to municipal agencies listed on reverse

CITY COUNCIL 19 - 0400

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Parking Lot – 301 East Lombard Street
(Aka 300 East Pratt Street)**

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

BY authority of

Article 32 – Zoning
Sections 5-201(a) and Table 10-301 (C-5)
Baltimore City Revised Code
(Edition 2000)



****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

- Baltimore City Public School System
- Baltimore Development Corporation
- City Solicitor
- Comptroller's Office
- Department of Audits
- Department of Finance
- Department of General Services
- Department of Housing and Community Development
- Department of Human Resources
- Department of Planning
- Other: _____
- Other: _____
- Other: _____
- Department of Public Works
- Department of Real Estate
- Department of Recreation and Parks
- Department of Transportation
- Fire Department
- Health Department
- Mayor's Office of Employment Development
- Mayor's Office of Human Services
- Mayor's Office of Information Technology
- Office of the Mayor
- Police Department
- Other: _____
- Other: _____
- Other: _____
- Baltimore City Public School System
- Board of Estimates
- Board of Ethics
- Board of Municipal and Zoning Appeals
- Comm. for Historical and Architectural Preservation
- Commission on Sustainability
- Employees' Retirement System
- Wage Commission
- Other: _____
- Other: _____
- Other: _____
- Other: _____
- Other: _____
- Other: _____
- Environmental Control Board
- Fire & Police Employees' Retirement System
- Labor Commissioner
- Parking Authority Board
- Planning Commission
- Wage Commission
- Other: _____
- Other: _____
- Other: _____

Boards and Commissions

CITY OF BALTIMORE
ORDINANCE 19-296
Council Bill 19-0400

Introduced by: Councilmember Costello

At the request of: MCB 300 East LLC

Address: c/o P. David Bramble, 2701 North Charles Street, Suite 400, Baltimore, Maryland
21218

Telephone: 410-662-0105

Introduced and read first time: June 17, 2019

Assigned to: Land Use and Transportation Committee

Committee Report: Favorable

Council action: Adopted

Read second time: August 19, 2019

AN ORDINANCE CONCERNING

1 **Zoning – Conditional Use Parking Lot – 301 East Lombard Street**
2 **(Aka 300 East Pratt Street)**

3 For the purpose of reauthorizing and continuing the permission for, subject to certain conditions,
4 the establishment, maintenance, and operation of an open off-street parking area on the
5 property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot
6 002), as outlined in red on the accompanying plat; and providing for a special effective date.

7 BY authority of
8 Article 32 – Zoning
9 Sections 5-201(a) and Table 10-301 (C-5)
10 Baltimore City Revised Code
11 (Edition 2000)

12 **Recitals**

13 Pursuant to Ordinance 13-154, the Mayor and City Council of Baltimore
14 approved, subject to certain conditions, the establishment, maintenance, and
15 operation of a parking lot on the property known as 301 East Lombard Street (aka
16 300 East Pratt Street), which approval, as extended, expires on September 18,
17 2019.

18 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
19 permission is reauthorized and continued for the establishment, maintenance, and operation of a
20 parking lot on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block
21 1381, Lot 002), as outlined in red on the plat accompanying this Ordinance, in accordance with
22 the Baltimore City Zoning Code § 5-201(a) and Table 10-301 (C-5), subject to the condition that
23 the parking lot complies with all federal, state, and local licensing and certification requirements.

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.

Council Bill 19-0400

1 SECTION 2. AND BE IT FURTHER ORDAINED, That the permission granted by this Ordinance
2 applies for 3 years from the date that this Ordinance becomes effective; and, at the end of that
3 period, with no further action by the Mayor and City Council, this permission will be abrogated
4 and of no further effect. If bona fide efforts have been made to develop the property, as
5 determined in the reasonable judgment of the Director of Planning, the property owner shall be
6 entitled to no more than two 1-year extensions of this permission, each extension to be
7 conclusively evidenced by a letter from the Director of Planning.

8 SECTION 3. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the
9 accompanying plat and in order to give notice to the agencies that administer the City Zoning
10 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
11 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
12 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
13 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
14 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
15 the Zoning Administrator.

16 SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is
17 enacted.

Certified as duly passed this _____ day of SEP 09, 2019



President, Baltimore City Council

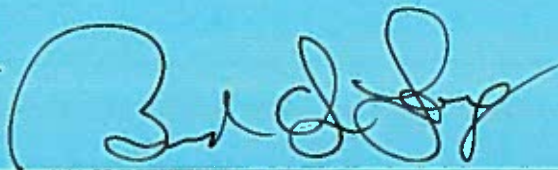
Certified as duly delivered to His Honor, the Mayor,

this _____ day of SEP 09, 2019



Chief Clerk

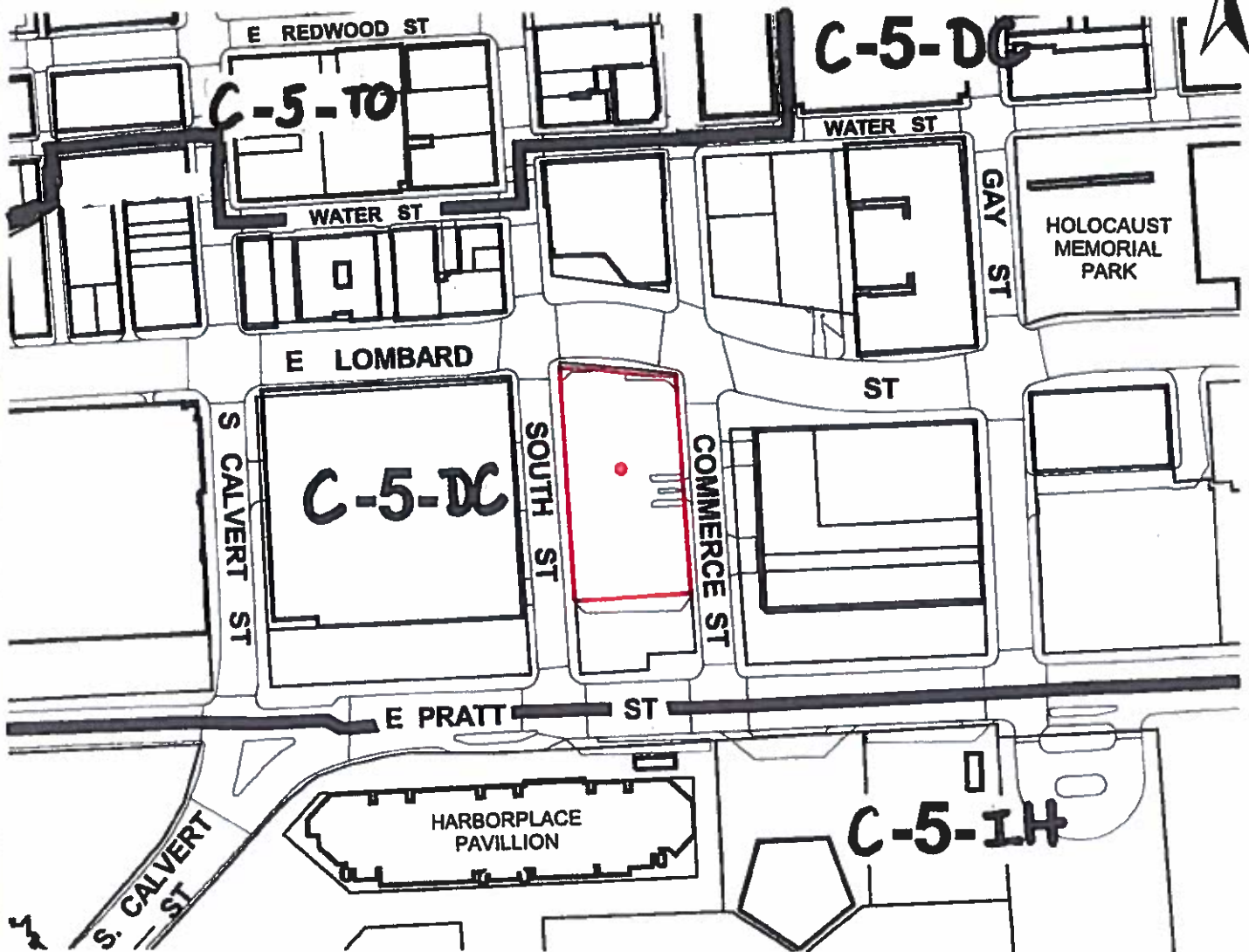
Approved this 25 day of Sept., 2019



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 19th Day of September 2019
Elena DiPietro

Chief Solicitor

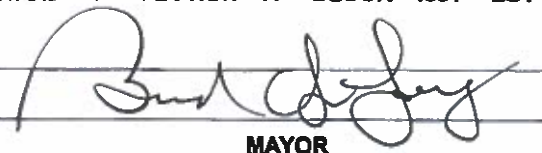


1" = 200'

Note:

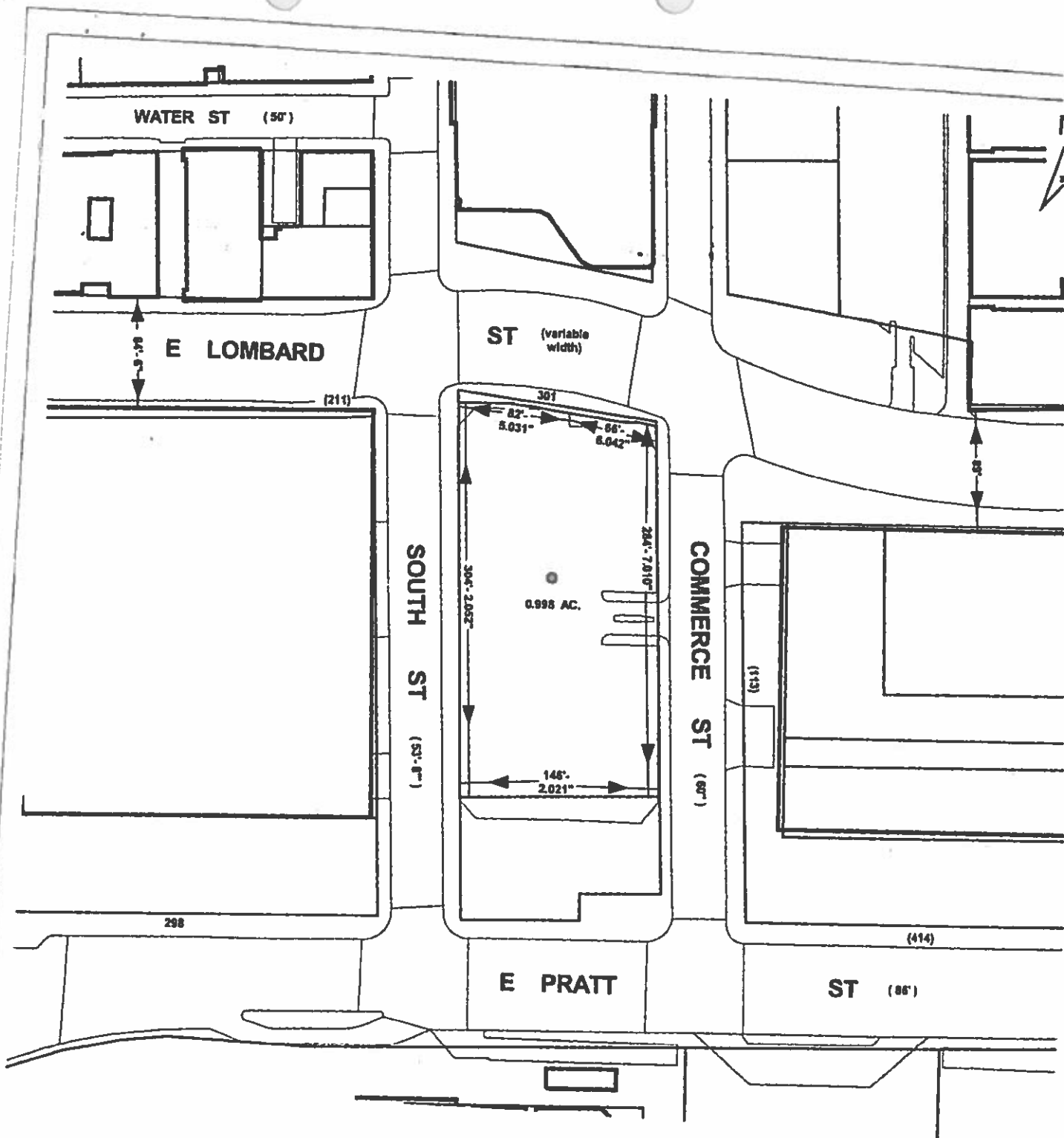
In Connection With Property Known As
No. 301 EAST LOMBARD STREET
A.K.A. 300 EAST PRATT STREET.
The Applicant Wishes To Request The Conditional
Use Of The Aforementioned Property
As A Parking Lot,
As Outlined In Red Above.

WARD - 4 SECTION - 11 BLOCK - 1381 LOT - 2


MAYOR


PRESIDENT CITY COUNCIL

9/00



**301 EAST LOMBARD STREET
A.K.A. 300 EAST PRATT STREET**

1" = 100'

LAND USE AND TRANSPORTATION COMMITTEE

FINDINGS OF FACT

MOTION OF THE CHAIR OF THE LAND USE AND TRANSPORTATION COMMITTEE, AFTER A PUBLIC HEARING AT WHICH AGENCY REPORTS AND PUBLIC TESTIMONY WERE CONSIDERED, AND PURSUANT TO ARTICLE 32, SECTION 5-406 OF THE BALTIMORE CITY CODE, THE CITY COUNCIL ADOPTS THESE FINDINGS OF FACT CONCERNING A CONDITIONAL USE FOR:

City Council Bill No. 19-0400

Zoning - Conditional Use Parking Lot - 301 East Lombard Street
(Aka 300 East Pratt Street)

- (1) the establishment, location, construction, maintenance, or operation of the conditional use **will not** be detrimental to or endanger the public health, safety, or welfare for the following reasons:

The Property has operated as a surface parking lot prior to this authorization. No issues with public health, safety, or welfare have arisen as a result of this use.

- (2) the use **would not** be precluded by any other law, including an applicable Urban Renewal Plan;

The Property is located within the Inner Harbor Project I Urban Renewal Plan. The Property is designated "commercial residential," for which parking is a permitted use. The use of a surface parking lot is not precluded by any other law.

- (3) the authorization **would not** be contrary to the public interest for the following reasons:

The operation of a surface parking lot to serve downtown and Inner Harbor visitors is not contrary to the public interest.

- (4) the authorization **would** be in harmony with the purpose and intent of this Code for the following reasons:

The surface parking lot use is in harmony with the purpose of the Zoning Code, as set forth in Section 2-101. In particular, Section 2-101(7) sets forth one of the purposes of the zoning code as "to preserve, protect, and promote the city's employment base." The parking lot use provides access to downtown, where over 100,000 people are employed.

After consideration of the following, where applicable (fill out all that are *only relevant*):

- (1) the nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures;

The site is narrow and rectangular, with four street frontages (Pratt Street, Lombard Street, Commerce Street, and South Street). There are no structures on the site, and none planned to be constructed pursuant to this authorization.

- (2) the resulting traffic patterns and adequacy of proposed off-street parking and loading;

Entrances for the parking lot are located on both Commerce Street and South Street, where they can be accessed by north-south traffic traveling in either direction.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. The PABC has determined that this legislation will not have a negative impact on parking in the area. If potential redevelopment plans are proposed for this surface parking lot, the PABC will be involved through the Site Plan Review Committee to ensure that parking and loading demands are adequately addressed, and that negative effects of parking and loading are mitigated.

- (3) the nature of the surrounding area and the extent to which the proposed use might impair its present and future development;

The Property is in the Central Business District, where surface parking lots are not a favored land use. Accordingly, the conditional use authorization is time-limited.

- (4) the proximity of dwellings, churches, schools, public structures, and other places of public gathering;

The Property is located across Pratt Street from the Inner Harbor. Many visitors to the Inner Harbor utilize the parking lot.

- (5) accessibility of the premises for emergency vehicles;

The Property is fully accessible from both South Street and Commerce Street.

- (6) accessibility of light and air to the premises and to the property in the vicinity;

Accessibility of light and air is not an issue, as no structures are being constructed in connection with this authorization.

- (7) the type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided;

The parking lot will continue to utilize the existing utilities, access, and drainage.

- (8) the preservation of cultural and historic landmarks and structures;

There are no cultural or historic landmarks or structures on the Property.

- (9) the character of the neighborhood;

The Property is located downtown, where there is a significant need for visitor parking.

- (10) the provisions of the City's Comprehensive Master Plan;

The authorization is consistent with the Live – Earn – Play – Learn tenets in the Comprehensive Master Plan, as it allows visitors to access downtown businesses and tourist attractions.

- (11) the provisions of any applicable Urban Renewal Plan;

The property is located within the Inner Harbor Project I Urban Renewal Plan. The Property is designated "commercial residential," for which parking is a permitted use. The Property is not within a "Development Area" under the Plan, and no specific land use controls are imposed.

- (12) all applicable standards and requirements of this Code;

The parking lot is currently, and will continue to be, compliant with all applicable standards of the Zoning Code.

- (13) the intent and purpose of this Code; and

For the reasons discussed in find (4) above, the authorization is consistent with the intent and purpose of the Zoning Code.

- (14) any other matters considered to be in the interest of the general welfare.

SOURCE OF FINDINGS (Check all that apply):

[X] Planning Report

- o Planning Commission, Chris Ryer, Director – Dated July 12, 2019
- o Department of Planning Staff Report – July 11, 2019

[X] Testimony presented at the Committee hearing

Oral – Witness Name:

- Mr. Eric Tiso, Planning Commission
- Mr. Jon Laria, Esquire, representative for the applicant
- Mr. Victor Tervalo, Department of Law
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Ryan Rattinni, Baltimore Development Corporation
- Mr. Bob Pipik, Department of Housing and Community Development
- Mr. Taylor LaFave, Parking Authority of Baltimore City
- Mr. Liam Davis, Department of Transportation

Written – Submitted by: (Include documents that have relevant facts only)

- Mr. Peter Little, Parking Authority of Baltimore City
- Mr. Derek Baumgardner, Board of Municipal Zoning Appeals

LAND USE AND TRANSPORTATION COMMITTEE:



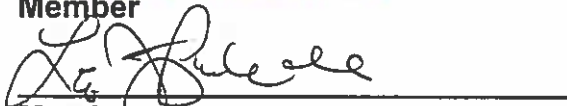
Chairman

Member



Member

Member



Member

Member



Member

Member

**BALTIMORE CITY COUNCIL
LAND USE AND TRANSPORTATION
VOTING RECORD**

DATE: July 31, 2019

BILL#: 19-0400

BILL TITLE: Zoning - Conditional Use Parking Lot - 301 East Lombard Street
(Aka 300 East Pratt Street)

MOTION BY: _____ SECONDED BY: _____

FAVORABLE

FAVORABLE WITH AMENDMENTS

UNFAVORABLE

WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Reisinger, Edward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Middleton, Sharon, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clarke, Mary Pat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dorsey, Ryan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	<u>5</u>		<u>2</u>	

CHAIRPERSON: Edward Reisinger

COMMITTEE STAFF: Jennifer L. Coates, Initials: JLC





- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



Address:

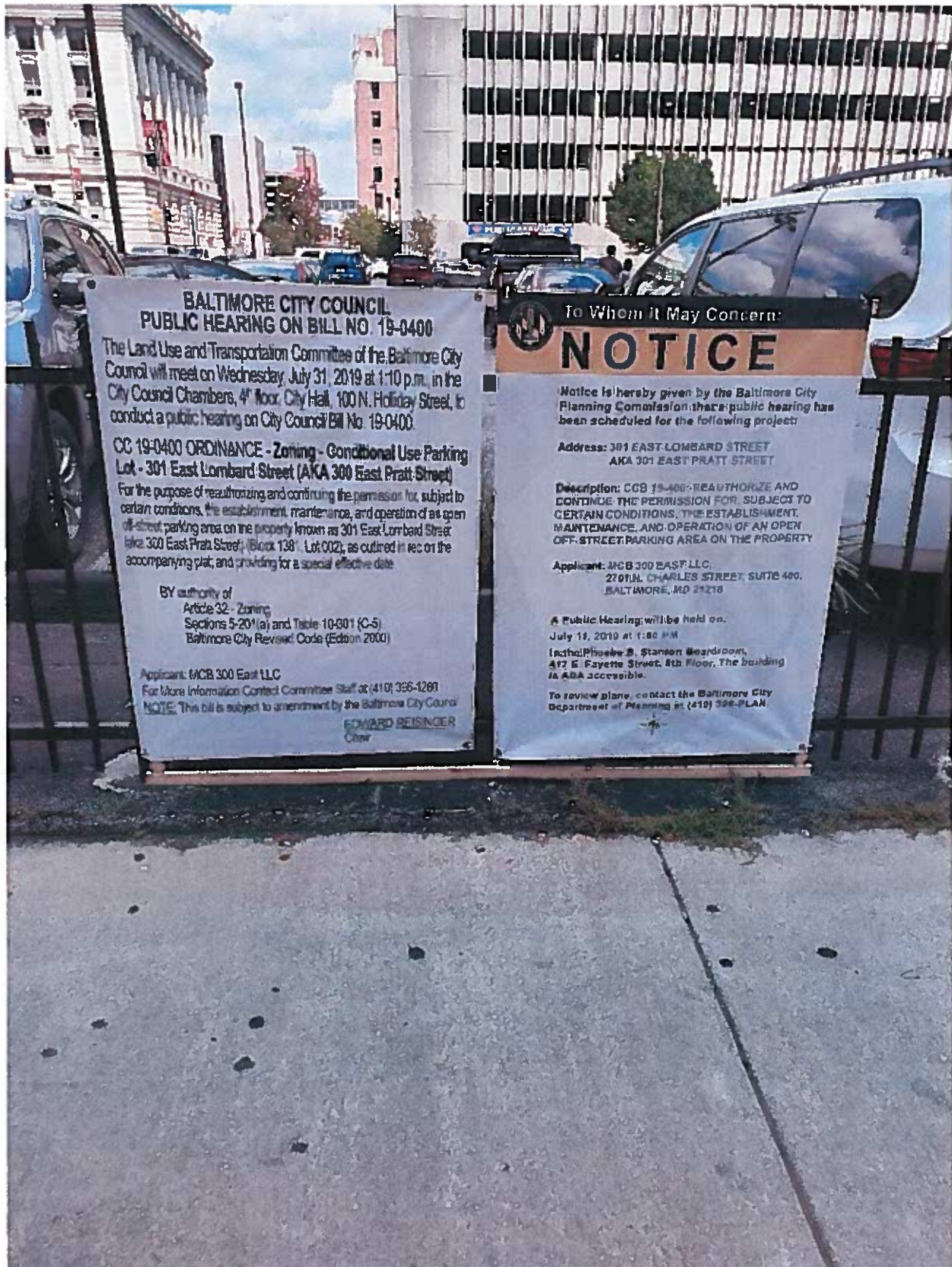
Date Posted: 7/01/2019

Name: Alyssa Domzal

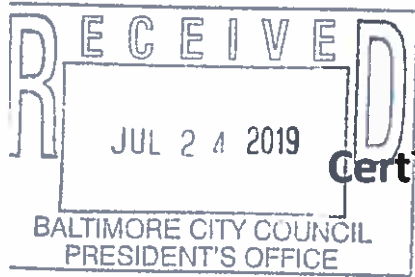
Address: 300 East Lombard Street, 18th Floor, Baltimore, MD 21202

Telephone: 410-528-5510

- Email to: Notawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202



Baltimore City Council
Certificate of Posting - Public Hearing Notice
City Council Bill No.: 19-0400
Today's Date: 7/02/2019



- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

FROM	NAME & TITLE	CHRIS RYER, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0400 / ZONING – CONDITIONAL USE PARKING LOT		

DATE:

July 12, 2019

TO

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

At its regular meeting of July 11, 2019, the Planning Commission considered City Council Bill #19-0400, for the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report, which recommended approval of City Council Bill #19-0400 and adopted the following resolution; eight members being present (seven in favor, with one abstention):

RESOLVED, That the Planning Commission finds, in accordance with §16-304 and §14-204 of the Zoning Code of Baltimore City, that the proposed use provided in this bill:

- will not be detrimental to or endanger the public health, security, general welfare, or morals;
- is not in any way precluded by any other law, including an applicable Urban Renewal Plan;
- is not otherwise in any way contrary to the public interest;
- is in harmony with the purpose and intent of that article; and
- meets all criteria for approval specified in §5-406(b) of the Zoning Code of Baltimore City; and further

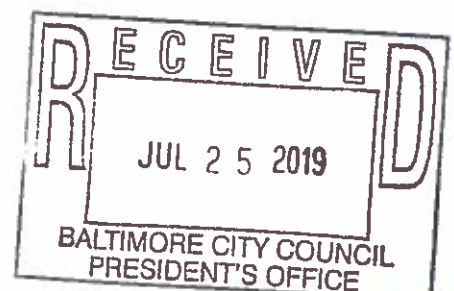
RESOLVED, That the Planning Commission concurs with the recommendation of its departmental staff, and recommends that City Council Bill #19-0400 be passed by the City Council.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

F



cc: Mr. Jeff Amoros, Mayor's Office
The Honorable Edward Reisinger, Council Rep. to Planning Commission
Mr. Colin Tarbert, BDC
Mr. Derek Baumgardner, BMZA
Mr. Geoffrey Veale, Zoning Administration
Mr. Bob Pipik, DHCD
Ms. Elena DiPietro, Law Dept.
Mr. Francis Burnszynski, PABC
Mr. Liam Davis, DOT
Ms. Natawna Austin, Council Services
Ms. Alyssa Domzal, Esq.



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

July 11, 2019

REQUEST: City Council Bill #19-0400/ Zoning – Conditional Use Parking Lot – 301 East Lombard Street (aka 300 East Pratt Street):

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

RECOMMENDATION: Approval

STAFF: Eric Tiso

PETITIONER: MCB 300 East LLC

OWNER: UGP-300 East Pratt, LLC

SITE/GENERAL AREA

Site Conditions: 301 East Lombard Street (aka 300 East Pratt Street) is located on the southeastern corner of the intersection with South Street, contains ±0.998 acres, and is currently improved as a surface parking lot. The site is zoned C-5-DC (Downtown Core), and is within the Inner Harbor Project I Urban Renewal Plan (URP) area.

General Area: This site is located within the Inner Harbor area, and is located to the east of the Renaissance Harbor Place Hotel and north of the Pratt Street Pavilion and the World Trade Center across East Pratt Street to the south.

HISTORY

- Ordinance #92-111, dated July 2, 1992, granted conditional use approval for a parking lot, with a two-year expiration limit.
- Ordinance #94-343, dated June 17, 1994, granted conditional use approval for a parking lot for three additional years.
- Ordinance #97-130, dated March 31, 1997, granted conditional use approval for a parking lot for three additional years.
- Ordinance #13-154, dated August 19, 2013, granted conditional use approval for a parking lot for four years, with the possibility of extension for up to two years that could be approved by the Director of Planning, provided bona fide efforts had been made to develop the property, which was subsequently approved (valid through September 18, 2019).

ANALYSIS


Background: This property has been used as a surface parking lot since the 1992, though the authorization granted in 1992, and subsequently extended in 1994 and 1997 later lapsed in 2000. That lapse was discovered by the prior property owners, and corrected with the reauthorization in 2013. At the same time that the 2013 reauthorization bill was being considered, the TransForm Baltimore Comprehensive rezoning effort was well underway, and included a proposed prohibition on surface parking lots in the C-5-DC zone. The timing of Ord. #13-154 would have allowed this parking lot to continue beyond the adoption of the new zoning code, but would expire not later than September 18, 2019, without the ability to be reauthorized yet again. However, since that proposed prohibition on surface parking was not included in the final adopted code, the existing parking lot may be reauthorized by another Conditional Use Ordinance (subject to the additional requirements of Art. 32 §14-331).

Conditional Use: As this is an existing parking lot that was previously approved by way of a Conditional Use Ordinance the findings previously adopted in consideration of Ord. #13-154, now under §5-406 {"Approval standards"} of Article 32 – *Zoning*, would still apply, as the conditions surrounding this parking lot are unchanged. The site plan for this parking lot complied with the then-draft Landscape Manual, which is now adopted as part of the zoning code, and the parking lot’s design was previously approved by the Site Plan Review Committee (SPRC). This current bill will authorize the parking lot use for three years, with two additional one-year extensions that may be approved by the Director of Planning (in the same manner of Ord. #13-154).

Notification: The Downtown Partnership has been notified of this action.



Chris Ryer
Director

F R O M	NAME & TITLE	Steve Sharkey, Acting Director	CITY of BALTIMORE	
	AGENCY NAME & ADDRESS	Department of Transportation (DOT) 417 E Fayette Street, Room 527		
	SUBJECT	City Council Bill 19-0400	M E M O	

TO: Mayor Bernard C. "Jack" Young
TO: Land Use & Transportation Committee
FROM: Department of Transportation
POSITION: Defer to Planning Department
RE: Council Bill – 19-0400

DATE: 7/29/19

INTRODUCTION – Zoning - Conditional Use Parking Lot - 301 East Lombard Street (Aka 300 East Pratt Street)

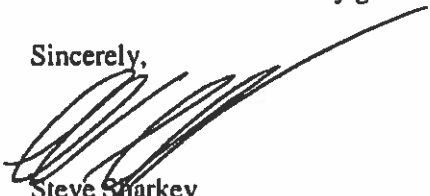
PURPOSE/PLANS – For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

COMMENTS – This bill will allow for the operation of a surface parking lot at 301 East Lombard Street in the heart of Baltimore’s Central Business District. Surface parking lots require a conditional use in C-5-DC zoning districts, per the city’s zoning code. The passage of this bill should have no operational or fiscal impact on the Department of Transportation given that the parcel is currently an active surface level parking lot. However, it is worth noting that surface level parking lots tend to counter efforts to make nearby streets more walkable and less auto-centric.

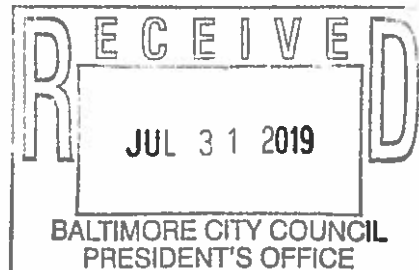
AGENCY/DEPARTMENT POSITION – The Department of Transportation is deferring to the Planning Department for City Council Bill 19-0400.

If you have any questions, please do not hesitate to contact Liam Davis via email at Liam.Davis@baltimorecity.gov or by phone (410) 545-3207.

Sincerely,



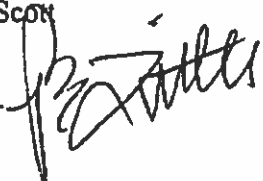
Steve Sharkey
Acting Director



Defers to Planning Dept.

TRANSMITTAL MEMO

TO: Council President Brandon M. Scott
FROM: Peter Little, Executive Director
DATE: July 16, 2019
RE: Council Bill 19-0400

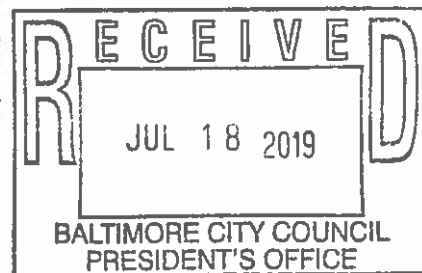


I am herein reporting on City Council Bill 19-0400 introduced by Councilmember Costello at the request of MCB 300 East LLC.

The purpose of this bill is for reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street); and providing for a special effective date.

The Parking Authority of Baltimore City (PABC) reviewed the proposed legislation. The PABC has determined that this legislation will not have a negative impact on parking in the area. If potential redevelopment plans are proposed for this surface parking lot, the PABC will be involved through the Site Plan Review Committee to ensure that parking and loading demands are adequately addressed, and that negative effects of parking and loading are mitigated.

Based on the comments above, the PABC does not oppose the passage of City Council Bill 19-0400.



Does not oppose

CITY OF BALTIMORE



BOARD OF MUNICIPAL AND
ZONING APPEALS

DEREK J. BAUMGARDNER Executive Director
417 E. Fayette Street, Suite 922
Baltimore, Maryland 21202

July 22, 2019
30

The Honorable President and
Members of the City Council
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: **CC Bill #19-0400 Zoning – Conditional Use Parking Lot – 301 East
Lombard Street (aka 300 East Pratt Street)**

Ladies and Gentlemen:

City Council Bill No. 19-0400 has been referred by your Honorable Body to the Board of Municipal and Zoning Appeals for study and report.

The purpose of City Council Bill No. 19-0400 is to reauthorize and continue the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002); and providing for a special effective date.

The BMZA has reviewed the legislation and recommends approval of City Council Bill No. 19-0400.

Sincerely,

Derek J. Baumgardner
Executive Director

CC: Mayor's Office of Council Relations
City Council President
Legislative Reference

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

July 25, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0400 - Zoning - Conditional Use Parking Lot - 301 East Lombard Street (aka 300 East Pratt Street)

Dear President and City Council Members:

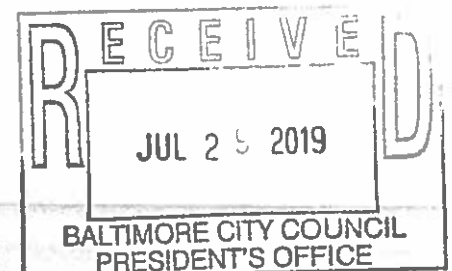
The Law Department has reviewed City Council Bill 18-0400 for form and legal sufficiency. The bill reauthorizes and continues the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002). It also provides for a special effective date.

This property is zoned C-5-DC, which requires parking lots as a principal use to be approved by ordinance. City Code, Art. 32, Table 10-301. Under the City Code, approval of a conditional use must be based on a finding that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

Art. 32, § 5-406(a). Moreover, the finding must be guided by 14 "considerations" involving such things as the "nature of the surrounding area and the extent to which the proposed use might impair its present and future development": "the resulting traffic patterns and adequacy of proposed off-street parking"; etc. See Art. 32, § 5-406(b).

The Law Department notes that the Planning Commission's Report ("Report") does not provide any of the facts needed to lawfully approve this bill. Those facts, therefore, must be



See w/ comments



10/10/2020

City Council Bill 19-0400 – 300 East Pratt Street

Conditional Use Standards (Zoning Code § 5-406)

A. Findings

- 1) *The establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare.*

The Property has operated as a surface parking lot prior to this authorization. No issues with public health, safety, or welfare have arisen as a result of this use.

- 2) *The use would not be precluded by any other law, including an applicable Urban Renewal Plan.*

The Property is located within the Inner Harbor Project I Urban Renewal Plan. The Property is designated “commercial residential,” for which parking is a permitted use. The use of a surface parking lot is not precluded by any other law.

- 3) *The authorization would not be contrary to the public interest.*

The operation of a surface parking lot to serve downtown and Inner Harbor visitors is not contrary to the public interest.

- 4) *The authorization would be in harmony with the purpose and intent of the Zoning Code.*

The surface parking lot use is in harmony with the purpose of the Zoning Code, as set forth in Section 2-101. In particular, Section 2-101(7) sets forth one of the purposes of the zoning code as “to preserve, protect, and promote the City’s employment base.” The parking lot use provides access to downtown, where over 100,000 people are employed.

B. Required Considerations

- 1) *The nature of the proposed site, including its size and shape and the proposed size, shape, and arrangement of structures.*

The site is narrow and rectangular, with four street frontages (Pratt Street, Lombard Street, Commerce Street, and South Street). There are no structures on the site, and none planned to be constructed pursuant to this authorization.

- 2) *The resulting traffic patterns and adequacy of proposed off-street parking and loading.*

Entrances for the parking lot are located on both Commerce Street and South Street, where they can be accessed by north-south traffic traveling in either direction.

- 3) *The nature of the surrounding area and the extent to which the proposed use might impair its present and future development.*



The Property is in the Central Business District, where surface parking lots are not a favored land use. Accordingly, the conditional use authorization is time-limited.

- 4) *The proximity of dwellings, churches, schools, public structures, and other places of public gathering.*

The Property is located across Pratt Street from the Inner Harbor. Many visitors to the Inner Harbor utilize the parking lot.

- 5) *Accessibility of the premises for emergency vehicles.*

The Property is fully accessible from both South Street and Commerce Street.

- 6) *Accessibility of light and air to the premises and to the property in the vicinity.*

Accessibility of light and air is not an issue, as no structures are being constructed in connection with this authorization.

- 7) *The type and location of adequate utilities, access roads, drainage, and other necessary facilities that have been or will be provided.*

The parking lot will continue to utilize the existing utilities, access, and drainage.

- 8) *The preservation of cultural and historic landmark and structures.*

There are no cultural or historic landmarks or structures on the Property

- 9) *The character of the neighborhood.*

The Property is located downtown, where there is a significant need for visitor parking.

- 10) *The provisions of the City's Comprehensive Master Plan.*

The authorization is consistent with the Live – Earn – Play – Learn tenets in the Comprehensive Master Plan, as it allows visitors to access downtown businesses and tourist attractions.

- 11) *The provisions of any applicable Urban Renewal Plan.*

The Property is located within the Inner Harbor Project I Urban Renewal Plan. The Property is designated “commercial residential,” for which parking is a permitted use. The Property is not within a “Development Area” under the Plan, and no specific land use controls are imposed.

- 12) *All applicable standards and requirements of the Zoning Code.*

The parking lot is currently, and will continue to be, compliant with all applicable standards of the Zoning Code.

13) The intent and purpose of the Zoning Code.

For reasons discussed in finding (4) above, the authorization is consistent with the intent and purpose of the Zoning Code.

14) Any other matters considered to be in the interest of the general welfare.

There are no other relevant matters to consider.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Land Use and Transportation Committee

Wednesday, July 31, 2019

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0400

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

- Present** 5 - Member Edward Reisinger, Member Mary Pat Clarke, Member Eric T. Costello, Member Leon F. Pinkett III, and Member Robert Stokes Sr.
- Absent** 2 - Member Sharon Green Middleton, and Member Ryan Dorsey

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0400

Zoning - Conditional Use Parking Lot - 301 East Lombard Street (Aka 300 East Pratt Street)

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

Sponsors: Eric T. Costello

The committee voted to recommend the bill favorably.

- Yes:** 5 - Member Reisinger, Member Clarke, Member Costello, Member Pinkett III, and Member Stokes Sr.
- Absent:** 2 - Member Middleton, and Member Dorsey

ADJOURNMENT



HEARING NOTES

Bill: 19-0400

Zoning - Conditional Use Parking Lot - 301 East Lombard Street (Aka 300 East Pratt Street)

Committee: Land Use and Transportation

Chaired By: Councilmember Edward Reisinger

Hearing Date: July 31, 2019

Time (Beginning): 1:25 PM

Time (Ending): 1:40 PM

Location: Clarence "Du" Burns Chamber

Total Attendance: ~20

Committee Members in Attendance:

Reisinger, Edward - Chairman

Clarke, Mary Pat

Costello, Eric

Dorsey, Ryan

Pinkett, Leon

Stokes, Robert

Bill Synopsis in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Attendance sheet in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Agency reports read?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Hearing televised or audio-digitally recorded?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Certification of advertising/posting notices in the file?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Evidence of notification to property owners?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Final vote taken at this hearing?	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> n/a
Motioned by:	Councilmember		
Seconded by:	Councilmember		
Final Vote:	Favorable		

Major Speakers
(This is not an attendance record.)

- Mr. Eric Tiso, Department of Planning
- Mr. Liam Davis, Department of Transportation
- Ms. Derek Baumgardner, Board of Municipal Zoning Appeals
- Mr. Victor Tervalá, Department of Law
- Mr. Ryan Rattinni, Baltimore Development Corporation
- Mr. Bob Pipik, Department of Housing and Community Development
- Mr. Taylor Lafave, Parking Authority of Baltimore City
- Representative, Baltimore Development Corporation

Major Issues Discussed

1. Councilmember Reisinger read the bill's title, purpose and public notice certification report.
 2. Councilmember Costello explained the purpose of the bill. He provided information about use of the lot and redevelopment initiatives for the site.
 3. Mr. Eric Tiso presented the Planning Commission's favorable report for the bill. Mr. Tiso provided a brief history about the parking lot. The parking lot was created in 1992 and reauthorized several times. The Planning Department's staff report recommended approval of the project.
 4. Mr. Liam Davis testified that the Department of Transportation defers to the Planning Department.
 5. Ms. Derek Baumgardner testified that the Board of Municipal Zoning Appeals is recommending a favorable report.
 6. Mr. Victor Tervalá testified that the Law Department can approve the bill for form and legal sufficiency as long as facts are provided to support the bill.
 7. Mr. Ryan Rattinni testified that the Baltimore Development Corporation recommends a favorable report for passage of the bill.
 8. Mr. Taylor LaFave testified that the Parking Authority of Baltimore City is not opposed to passage of the bill.
 9. Mr. Bob Pipik testified that the Department of Housing and Community Development recommends a favorable report for the bill.
 10. Mr. Jon Laria, representing the applicant, provided a letter of support from Downtown Partnership. He explained the current development initiative between applicant and MCB Real Estate, which has a great track record in urban development. He also provided written and orally presented findings of facts.
 11. The committee approved the findings of facts and voted to recommend the bill favorable.
 11. The hearing was adjourned.
-

Further Study

Was further study requested?
If yes, describe.

Yes No

Committee Vote:

Reisinger, Edward, Chairman..... **Yea**
Middleton, Sharon, Vice Chair..... **Absent**
Clarke, Mary Pat..... **Yea**
Costello, Eric..... **Yea**
Dorsey, Ryan..... **Absent**
Pinkett, Leon..... **Yea**
Stokes, Robert:..... **Yea**

Jennifer L. Coates, Committee Staff



Date: July 31, 2019

cc: Bill File
OCS Chrono File

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Land Use and Transportation Committee

Wednesday, July 31, 2019

1:10 PM

Du Burns Council Chamber, 4th floor, City Hall

19-0400

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

19-0400

Zoning - Conditional Use Parking Lot - 301 East Lombard Street (Aka 300 East Pratt Street)

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

Sponsors:

Eric T. Costello

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



**BALTIMORE CITY COUNCIL
LAND USE COMMITTEE**

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Land Use Committee is to review and support responsible development and zoning initiatives to ensure compatibility with the aim of improving the quality of life for the diverse population of Baltimore City.

**The Honorable Edward Reisinger
Chairperson**

PUBLIC HEARING

Wednesday, July 31, 2018

1:10 PM

Clarence "Du" Burns Council Chambers

City Council Bill # 19-0400

***Zoning - Conditional Use Parking Lot - 301 East Lombard Street
(Aka 300 East Pratt Street)***

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Danielle McCray
Sharon Green Middleton
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

CYBERSECURITY AND EMERGENCY PREPAREDNESS

Eric Costello – Co-chair
Isaac "Yitzy" Schleifer – Co-
chair
Sharon Green Middleton
Staff: Samuel Johnson

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Leon Pinkett
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HEALTH

Kristerfer Burnett – Chair
Bill Henry, Vice Chair
Mary Pat Clarke
Edward Reisinger
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice
Chair
Kristerfer Burnett
Zeke Cohen
Ryan Dorsey
Bill Henry
Shannon Sneed
Staff: Richard Krummerich

JUDICIARY

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Shannon Sneed
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Mary Pat Clarke
Bill Henry
Danielle McCray
Staff: Samuel Johnson

LEGISLATIVE INVESTIGATIONS

Kristerfer Burnett – Chair
Danielle McCray – Vice Chair
Ryan Dorsey
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Matthew Peters

LAND USE

Edward Reisinger – Chair
Shannon Sneed – Vice Chair
Mary Pat Clarke
Ryan Dorsey
Sharon Green Middleton
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Isaac "Yitzy" Schleifer – Chair
Kristerfer Burnett – Vice Chair
Zeke Cohen
Danielle McCray
Leon Pinkett
Shannon Sneed
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Danielle McCray – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
*- Larry Greene (pension
only)*

TRANSPORTATION

Ryan Dorsey – Chair
Leon Pinkett – Vice Chair
John Bullock
Staff: Jennifer Coates

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

BILL SYNOPSIS

Committee: Land Use

Bill 19-0400

**Zoning - Zoning - Conditional Use Parking Lot - 301 East Lombard Street
(aka 300 East Pratt Street)**

Sponsor: Councilmember Costello

Introduced: June 17, 2019

Purpose:

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

Effective: Date of enactment

Hearing Date/Time/Location: July 31, 2019 /1:10 p.m./Clarence "Du" Burns Chambers

Agency Reports

Planning Commission	Favorable
Board of Municipal and Zoning Appeals	
Department of Transportation	
Department of Law	
Parking Authority of Baltimore City	Not Opposed
Baltimore Development Corporation	

Analysis

Current Law

Article 32 – Zoning; Sections 5-201(a) and Table 10-301 (C-5); Baltimore City Revised Code; (Edition 2000)

Background

If approved, Bill 19-0400 would reauthorize and continue the permission for an open off-street surface parking area on the property known as 301 E. Lombard Street. The property, also known as 300 East Pratt Street is located in the Inner Harbor area on the southeast corner of Pratt and South Streets. The surface parking lot is bounded by South Street on the west, Commerce Street on the east, Pratt street on the south and Lombard Street on the north.

The site is currently owned by UGP-300 East Pratt LLC. The applicant is MCB 300 East LLC. There are contracts contingent on passage of the bill. Parties to the contracts are MCB Pratt Street Investor LLC and UGP -300 East Pratt Street LLC.

The property is currently zoned Commercial C-5-DC (Downtown Core) and also lies within the Inner Harbor Project I Urban Renewal Plan area. Use of the property as a surface parking lot was first granted in 1992. Since that time, the grant of authority was extended in 1994 and again in 1997. Authorization lapsed in 2000, but was reauthorized in 2003. The owner also applied for and was granted reauthorization in 2013.

Permission to be granted by Bill 19-0400 would be effective for 3 years, which begins the date of enactment. The applicant is also entitled to two 1-year extensions to be granted by the Director of Planning, if efforts have been made to develop the property.

Additional Information

Fiscal Note: Not Available

Information Source(s): Agency reports

Analysis by: Jennifer L. Coates
Analysis Date: July 25, 2019

Direct Inquiries to: (410) 396-1260



CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: Land Use and Transportation | Chairperson: Edward Reisinger
 Date: July 31, 2019 | Time: 1:10 p.m. | Place: Clarence "Du" Burns Chambers
 Subject: Ordinance - Zoning - Conditional Use Parking Lot - 301 East Lombard Street (Aka 300 East Pratt Street) | CC Bill Number: 19-0400

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	<input type="checkbox"/>	<input type="checkbox"/>	WHAT IS YOUR POSITION ON THIS BILL?	<input type="checkbox"/>	<input type="checkbox"/>
						TESTIFY				
								FOR		
								AGAINST		
								YES		
								NO		
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>				
David	BRAMBLE	2701	N. CHARLES ST 15444	21218	DAVIDBRAMBLE@GMAIL.COM	<input checked="" type="checkbox"/>				

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.

**CITY OF BALTIMORE
COUNCIL BILL 19-0400
(First Reader)**

Introduced by: Councilmember Costello

At the request of: MCB 300 East LLC

Address: c/o P. David Bramble, 2701 North Charles Street, Suite 400, Baltimore, Maryland
21218

Telephone: 410-662-0105

Introduced and read first time: June 17, 2019

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Board of
Municipal and Zoning Appeals, Baltimore Development Corporation, Department of
Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Parking Lot – 301 East Lombard Street**
3 **(Aka 300 East Pratt Street)**

4 For the purpose of reauthorizing and continuing the permission for, subject to certain conditions,
5 the establishment, maintenance, and operation of an open off-street parking area on the
6 property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot
7 002), as outlined in red on the accompanying plat; and providing for a special effective date.

8 BY authority of
9 Article 32 – Zoning
10 Sections 5-201(a) and Table 10-301 (C-5)
11 Baltimore City Revised Code
12 (Edition 2000)

13 **Recitals**

14 Pursuant to Ordinance 13-154, the Mayor and City Council of Baltimore
15 approved, subject to certain conditions, the establishment, maintenance, and
16 operation of a parking lot on the property known as 301 East Lombard Street (aka
17 300 East Pratt Street), which approval, as extended, expires on September 18,
18 2019.

<p>Explanation: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law.</p>

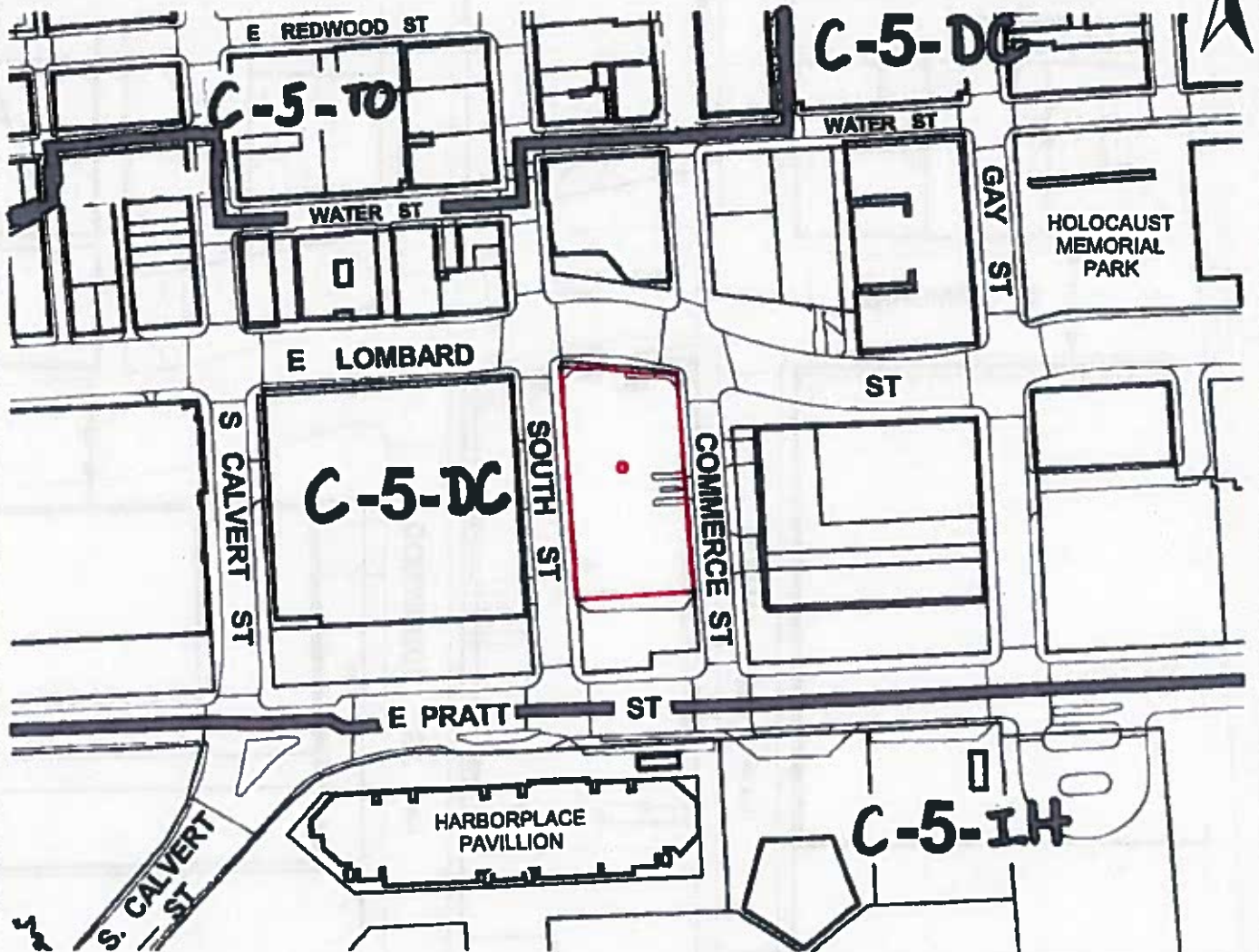
Council Bill 19-0400

1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
2 permission is reauthorized and continued for the establishment, maintenance, and operation of a
3 parking lot on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block
4 1381, Lot 002), as outlined in red on the plat accompanying this Ordinance, in accordance with
5 the Baltimore City Zoning Code § 5-201(a) and Table 10-301 (C-5), subject to the condition that
6 the parking lot complies with all federal, state, and local licensing and certification requirements.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the permission granted by this Ordinance
8 applies for 3 years from the date that this Ordinance becomes effective; and, at the end of that
9 period, with no further action by the Mayor and City Council, this permission will be abrogated
10 and of no further effect. If bona fide efforts have been made to develop the property, as
11 determined in the reasonable judgment of the Director of Planning, the property owner shall be
12 entitled to no more than two 1-year extensions of this permission, each extension to be
13 conclusively evidenced by a letter from the Director of Planning.

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
15 accompanying plat and in order to give notice to the agencies that administer the City Zoning
16 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
17 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
18 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
19 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
20 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
21 the Zoning Administrator.

22 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
23 enacted.



1" = 200'

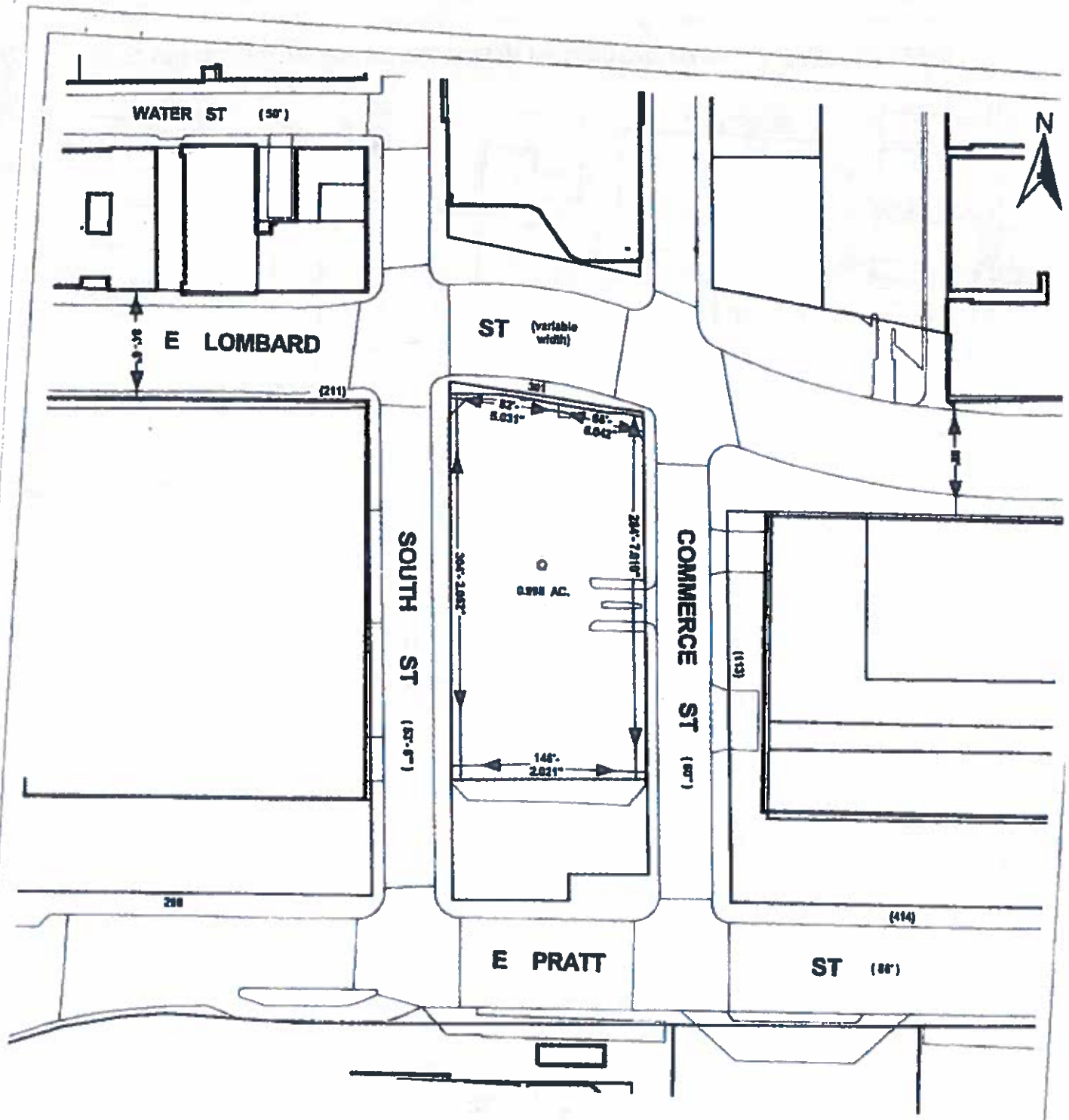
Note:

In Connection With Property Known As
No. 301 EAST LOMBARD STREET
A.K.A. 300 EAST PRATT STREET.
The Applicant Wishes To Request The Conditional
Use Of The Aforementioned Property
As A Parking Lot,
As Outlined In Red Above.

WARD - 4 SECTION - 11 BLOCK - 1381 LOT - 2

MAYOR

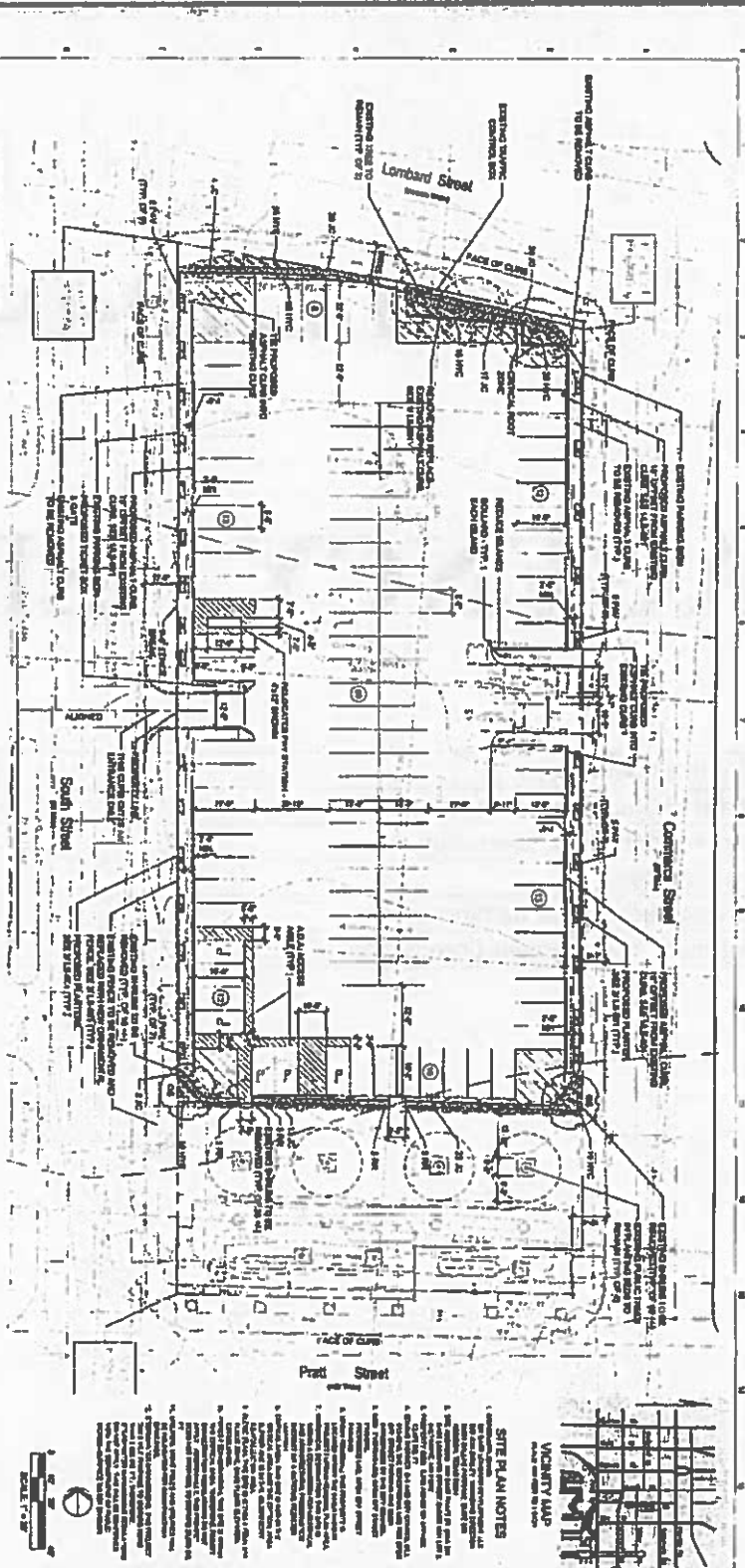
PRESIDENT CITY COUNCIL



1" = 100'

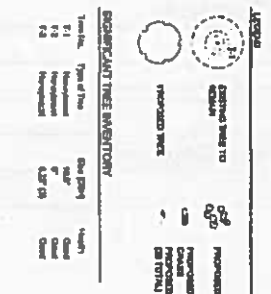
**301 EAST LOMBARD STREET
A.K.A. 300 EAST PRATT STREET**

300 East Pratt
Baltimore, MD



PROPOSED PLANT LIST

QTY	REV	SYMBOL/COMMON NAME	SIZE	ROOT	COMMENTS
2	03	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes
11	02	SHADE TREES Cedars	12' CA	SHL	Along Canal Lanes



SCIENTIFIC TREE INVENTORY

Tree No.	Tree Name	Tree Size	Tree Health	Tree Location
1	Cedar	12' CA	Good	Along Canal Lanes
2	Cedar	12' CA	Good	Along Canal Lanes
3	Cedar	12' CA	Good	Along Canal Lanes
4	Cedar	12' CA	Good	Along Canal Lanes
5	Cedar	12' CA	Good	Along Canal Lanes
6	Cedar	12' CA	Good	Along Canal Lanes
7	Cedar	12' CA	Good	Along Canal Lanes
8	Cedar	12' CA	Good	Along Canal Lanes
9	Cedar	12' CA	Good	Along Canal Lanes
10	Cedar	12' CA	Good	Along Canal Lanes
11	Cedar	12' CA	Good	Along Canal Lanes

PARKING COUNTS

Category	Count
Existing	12
Proposed	12
Total	24

400
[1]
Site & Landscape Plan

LAND USE COMMITTEE

BILL 19-0400

AGENCY REPORTS

Planning Commission	Favorable
Board of Municipal Zoning Appeals	
Department of Transportation	
City Solicitor	
Parking Authority of Baltimore City	Not Opposed
Baltimore Development Corporation	

Coates, Jennifer

From: Coates, Jennifer
Sent: Wednesday, June 26, 2019 11:56 AM
To: 'David Bramble'
Cc: 'Costello, Eric'; 'Huber, Michael'; Austin, Natawna B.
Subject: PUBLIC NOTIFICATION INSTRUCTIONS FOR HEARING ON BILL 19-0400
Attachments: PNI - Letter - 19-0400 - CU OOPKA 301 E LOMBARD.PDF; Sample - Certificate of Posting - Attachment C.docx

Mr. Bramble,

Attached is the information you will need to post a public hearing notice for the subject bill to be heard by the Land Use and Transportation Committee on **July 31, 2019 at 1:10 p.m.** at City Hall in the City Council Chamber.

I have also attached a contact list for sign makers, business cards for newspaper contacts and a sample certification template.

Feel free to contact me if you need more information.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL



Jennifer L. Coates

*Senior Legislative Policy Analyst
Office of Council Services*

100 N. Holliday Street, Room 415
Baltimore, MD 21202

jennifer.coates@baltimorecity.gov

OFFICE OF COUNCIL SERVICES

Office: (410) 396-1260

Fax: (410) 545-7596

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greene@baltimorecity.gov

TO: MCB 300 East LLC c/o P. David Bramble

FROM: Jennifer L. Coates, Committee Staff, Land Use and Transportation Committee,
Baltimore City Council

Date: June 25, 2019

RE: INSTRUCTIONS FOR NOTICE OF A PUBLIC HEARING –CONDITIONAL USE AND
VARIANCES

The Land Use and Transportation Committee has scheduled the following City Council Bill for a public hearing:

Bill: City Council Bill No. 19-0400

Date: Wednesday, July 31, 2019

Time: 1:10 p.m.

Place: City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street

At the expense of the applicant, notice of the public hearing must be provided in accordance with:

Article 32. Zoning § 5-602 – Major variances: Conditional uses.

For helpful information about the public notice requirements under Article 32 - Zoning (*pages 129 – 130*) - see *Attachment B*. You can access and review Article 32 using the web link below:

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

Disclaimer. The City makes no claims as to the quality, completeness, accuracy, timeliness, or content of any data contained herein or on this site. All such items and materials are provided on an "as is" basis, and you are fully and solely responsible for your use of them and for any results or consequences of your use. They have been compiled from a variety of sources, including sources beyond the control of the City, and are subject to change without notice from the City. The data is subject to change as modifications and updates are complete. It is understood that the information contained in the site is being used at one's own risk. In no event shall the City or its elected/appointed officials, municipal agencies and departments, employees, agents, or volunteers be liable for any direct, indirect, special, punitive, incidental, exemplary or consequential damages arising your accessing or using the site, or otherwise arising from this site or from anything contained in or displayed on this site. Nothing contained in or displayed on this site constitutes or is intended to constitute legal advice by the City or any of its elected/appointed officials, municipal agencies and departments, employees, agents, and volunteers

Wording for the Sign to be Posted

The information that must be posted on a sign, at least 21 days before the public hearing, appears between the double lines on the attached page (*see Attachment A*). The deadline date is indicated in **BOLD** characters at the top of Attachment A. Instructions for posting the sign can be found in Article 32. Zoning § 5-602 – Major variances: Conditional uses

Certification of Postings

Certification of the sign posting (*see example on Attachment C*), in duplicate, must be received four (4) days prior to the hearing to:

Ms. Natawna Austin, Executive Secretary
Baltimore City Council
100 N. Holliday Street, Fourth Floor, Room 400
Baltimore, MD 21202

If the required certification is not received as specified above, the public hearing will be cancelled without notice to the applicant. The deadline dates are as follows:

Sign Posting Deadline: **July 10, 2019**
Certificate of Posting Deadline: **July 28, 2019**

Please note that **ALL** of these requirement **MUST** be met in order for your hearing to proceed as scheduled. If you have any questions regarding your notice requirements please contact:

Ms. Jennifer L. Coates, Committee Staff
Baltimore City Council
Land Use and Transportation Committee
410-396-1260
Jennifer.Coates@baltimorecity.gov.

ATTACHMENT A

THE INFORMATION BETWEEN THE DOUBLE LINES (SEE BELOW) MUST BE POSTED ON A SIGN ON THE PROPERTY **BY JULY 10, 2019**, AS DISCUSSED ON THE PREVIOUS PAGE AND OUTLINED ON ATTACHMENT B.

**BALTIMORE CITY COUNCIL
PUBLIC HEARING ON BILL NO. 19-0400**

The Land Use and Transportation Committee of the Baltimore City Council will meet on Wednesday, July 31, 2019 at 1:10 p.m. in the City Council Chambers, 4th floor, City Hall, 100 N. Holliday Street to conduct a public hearing on City Council Bill No. 19-0400.

CC 19-0400 ORDINANCE - Zoning - Conditional Use Parking Lot - 301 East Lombard Street (Aka 300 East Pratt Street)

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

BY authority of
Article 32 - Zoning
Sections 5-201(a) and Table 10-301 (C-5)
Baltimore City Revised Code
(Edition 2000)

Applicant: MCB 300 East LLC

For more information, contact committee staff at (410) 396-1260.

NOTE: This bill is subject to amendment by the Baltimore City Council.

EDWARD REISINGER

Chair

SEND CERTIFICATION OF PUBLICATION TO:

Baltimore City Council
c/o Natawna B. Austin
Room 409, City Hall
100 N. Holliday Street
Baltimore, MD 21202

SEND BILL FOR THIS SIGN POSTING TO:

Mr. P. David Bramble
2701 North Charles Street, Suite 400
Baltimore, MD 21218
410-662-0105

ATTACHMENT B

**ZONING
SUBTITLE 6 – NOTICES**

ARTICLE 32, § 5-602

<http://ca.baltimorecity.gov/codes/Art%2032%20-%20Zoning.pdf>

§ 5-602. Major variances; Conditional uses.

(a) *Hearing required.*

For major variances and conditional uses, the Board of Municipal and Zoning Appeals or the City Council, as the case may be, must conduct a hearing at which:

- (1) the parties in interest and the general public will have an opportunity to be heard; and
- (2) all agency reports will be read.

(b) *Notice of hearing required.*

Notice of the hearing must be given by posting in a conspicuous place on the subject property.

(c) *Contents of notice.*

The notice must include:

- (1) the date, time, place, and purpose of the public hearing;
- (2) the address of the subject property or a drawing or description of the boundaries of the area affected by the proposed variance or conditional use;
- (3) the name of the applicant; and
- (4) how additional information on the matter can be obtained.

(d) *Number and manner of posted notices.*

(1) The number and manner of posting is as follows:

- (i) for an individual property, at least 1 sign must be visible from each of the property's street frontages;
- (ii) each sign must be posted at a prominent location, near the sidewalk or public right-of-way, so that it is visible to passing pedestrians and motorists;

(iii) a window-mounted sign must be mounted inside the window glass and placed so that it is clearly visible to passing pedestrians and motorists; and

(iv) each sign must be at least 3 feet by 4 feet in size.

(2) Nothing in this subtitle prevents the voluntary posting of more notices than required by this subtitle.

(e) *Timing of notice.*

The posted notice must be:

(1) posted at least 21 days before the public hearing; and

(2) removed within 48 hours after conclusion of the public hearing.

(Ord. 16-581; Ord. 17-015.)

**Baltimore City Council
Certificate of Posting - Public Hearing Notice**

City Council Bill No.:

Today's Date: [Insert Here]

(Place a picture of the posted sign in the space below.)

Address:

Date Posted:

Name:

Address:

Telephone:

- Email to: Natawnab.Austin@baltimorecity.gov
- Mail to: Baltimore City Council; c/o Natawna B. Austin; Room 409, City Hall; 100 N. Holliday Street; Baltimore, MD 21202

**CITY OF BALTIMORE
COUNCIL BILL 19-0400
(First Reader)**

Introduced by: Councilmember Costello

At the request of: MCB 300 East LLC

Address: c/o P. David Bramble, 2701 North Charles Street, Suite 400, Baltimore, Maryland
21218

Telephone: 410-662-0105

Introduced and read first time: June 17, 2019

Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Planning Commission, Board of
Municipal and Zoning Appeals, Baltimore Development Corporation, Department of
Transportation, Baltimore City Parking Authority Board

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Zoning – Conditional Use Parking Lot – 301 East Lombard Street**
3 **(Aka 300 East Pratt Street)**

4 For the purpose of reauthorizing and continuing the permission for, subject to certain conditions,
5 the establishment, maintenance, and operation of an open off-street parking area on the
6 property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot
7 002), as outlined in red on the accompanying plat; and providing for a special effective date.

8 BY authority of
9 Article 32 – Zoning
10 Sections 5-201(a) and Table 10-301 (C-5)
11 Baltimore City Revised Code
12 (Edition 2000)

13 **Recitals**

14 Pursuant to Ordinance 13-154, the Mayor and City Council of Baltimore
15 approved, subject to certain conditions, the establishment, maintenance, and
16 operation of a parking lot on the property known as 301 East Lombard Street (aka
17 300 East Pratt Street), which approval, as extended, expires on September 18,
18 2019.

<p>Explanation: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law.</p>

Council Bill 19-0400

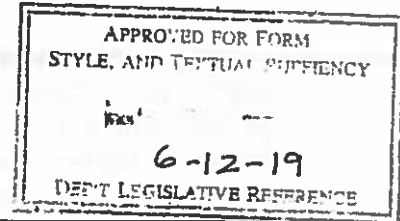
1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
2 permission is reauthorized and continued for the establishment, maintenance, and operation of a
3 parking lot on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block
4 1381, Lot 002), as outlined in red on the plat accompanying this Ordinance, in accordance with
5 the Baltimore City Zoning Code § 5-201(a) and Table 10-301 (C-5), subject to the condition that
6 the parking lot complies with all federal, state, and local licensing and certification requirements.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the permission granted by this Ordinance
8 applies for 3 years from the date that this Ordinance becomes effective; and, at the end of that
9 period, with no further action by the Mayor and City Council, this permission will be abrogated
10 and of no further effect. If bona fide efforts have been made to develop the property, as
11 determined in the reasonable judgment of the Director of Planning, the property owner shall be
12 entitled to no more than two 1-year extensions of this permission, each extension to be
13 conclusively evidenced by a letter from the Director of Planning.

14 **SECTION 3. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
15 accompanying plat and in order to give notice to the agencies that administer the City Zoning
16 Ordinance: (i) when the City Council passes this Ordinance, the President of the City Council
17 shall sign the plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat;
18 and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat to the
19 Board of Municipal and Zoning Appeals, the Planning Commission, the Commissioner of
20 Housing and Community Development, the Supervisor of Assessments for Baltimore City, and
21 the Zoning Administrator.

22 **SECTION 4. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
23 enacted.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: Councilmember Costello
At the request of: MCB 300 East LLC
Address: c/o P. David Bramble, 2701 North Charles Street, Suite 400, Baltimore, Maryland
21218
Telephone: 410-662-0105

A BILL ENTITLED

AN ORDINANCE concerning

**Zoning – Conditional Use Parking Lot – 301 East Lombard Street
(Aka 300 East Pratt Street)**

For the purpose of reauthorizing and continuing the permission for, subject to certain conditions, the establishment, maintenance, and operation of an open off-street parking area on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the accompanying plat; and providing for a special effective date.

BY authority of
Article 32 – Zoning
Sections 5-201(a) and Table 10-301 (C-5)
Baltimore City Revised Code
(Edition 2000)

Recitals

Pursuant to Ordinance 13-154, the Mayor and City Council of Baltimore approved, subject to certain conditions, the establishment, maintenance, and operation of a parking lot on the property known as 301 East Lombard Street (aka 300 East Pratt Street), which approval, as extended, expires on September 18, 2019.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That permission is reauthorized and continued for the establishment, maintenance, and operation of a parking lot on the property known as 301 East Lombard Street (aka 300 East Pratt Street) (Block 1381, Lot 002), as outlined in red on the plat accompanying this Ordinance, in accordance with the Baltimore City Zoning Code § 5-201(a) and Table 10-301 (C-5), subject to the condition that the parking lot complies with all federal, state, and local licensing and certification requirements.

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

*** Warning:** THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THIS BILL. THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

SECTION 2. AND BE IT FURTHER ORDAINED, That the permission granted by this Ordinance applies for 3 years from the date that this Ordinance becomes effective; and, at the end of that period, with no further action by the Mayor and City Council, this permission will be abrogated and of no further effect. If bona fide efforts have been made to develop the property, as determined in the reasonable judgment of the Director of Planning, the property owner shall be entitled to no more than two 1-year extensions of this permission, each extension to be conclusively evidenced by a letter from the Director of Planning.

SECTION 3. AND BE IT FURTHER ORDAINED, That as evidence of the authenticity of the accompanying plat 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 plat; (ii) when the Mayor approves this Ordinance, the Mayor shall sign the plat; and (iii) the Director of Finance then shall transmit a copy of this Ordinance and the plat 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.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

STATEMENT OF INTENT
FOR

300 East Pratt Street

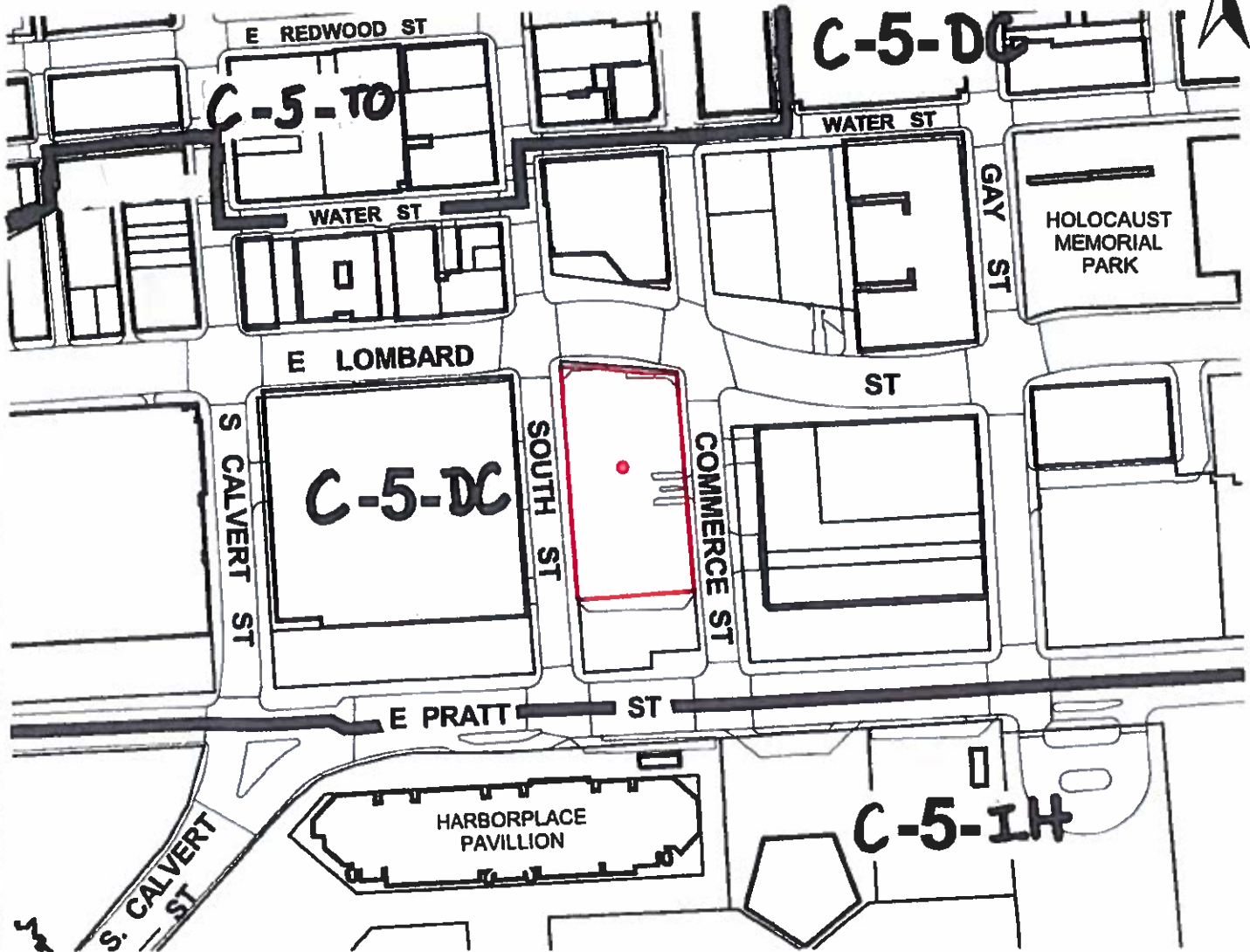
1. Applicant's name, address, and telephone number: MCB 300 East LLC, c/o P. David Bramble, 2701 N. Charles Street, Suite 400, Baltimore, Maryland 21218, Telephone: (410) 662-0105
2. All proposed zoning changes for the property: None.
3. All intended uses of the property: Surface parking lot, a conditional use in a C-5-DC zoning district.
4. Current owner's name, address, and telephone number: UGP-300 East Pratt LLC, 200 N. LaSalle Street, Suite 1400, Chicago, IL 60601. Telephone: (312) 935-2900
5. The property was acquired by the current owner by a deed recorded in the Land Records of Baltimore City at liber FMC 15624, page 373.
6. (a) There are contracts contingent on the requested legislative authorization.
(b) If there are contracts contingent on the requested legislative authorization:
 - (i) The names and addresses of all parties to the contracts are
MCB Pratt Street Investor LLC, c/o MCB Real Estate LLC, 2701 N. Charles Street, Suite 404, Baltimore, MD 21218
Baltimore, Maryland 21218UGP-300 East Pratt Street, LLC, 200 N. LaSalle Street, Suite 400.
 - (ii) The purpose, nature, and effect of the contract are: The applicant, a joint venture, is an indirect owner of the property. The members entered into the joint venture agreement for the purpose of redeveloping the property. The joint venture agreement is contingent upon the use of the property as a surface parking lot prior to redevelopment.
7. (a) The applicant is not acting as an agent for another.
(b) If the applicant is acting as an agent for another, the names of all principals on whose behalf the applicant is acting, including the names of the majority stockholders of any corporation, are *{use additional sheet if necessary}*: N/A

AFFIDAVIT

I, Alyssa Domzal, solemnly affirm under the penalties of perjury that the information given in this Statement of Intent is true and complete to the best of my knowledge, information, and belief.

Alyssa Domzal
Alyssa Domzal, attorney for applicant

6/7/19
Date



1" = 200'

Note:

In Connection With Property Known As
 No. 301 EAST LOMBARD STREET
 A.K.A. 300 EAST PRATT STREET.
 The Applicant Wishes To Request The Conditional
 Use Of The Aforementioned Property
 As A Parking Lot,
 As Outlined In Red Above.

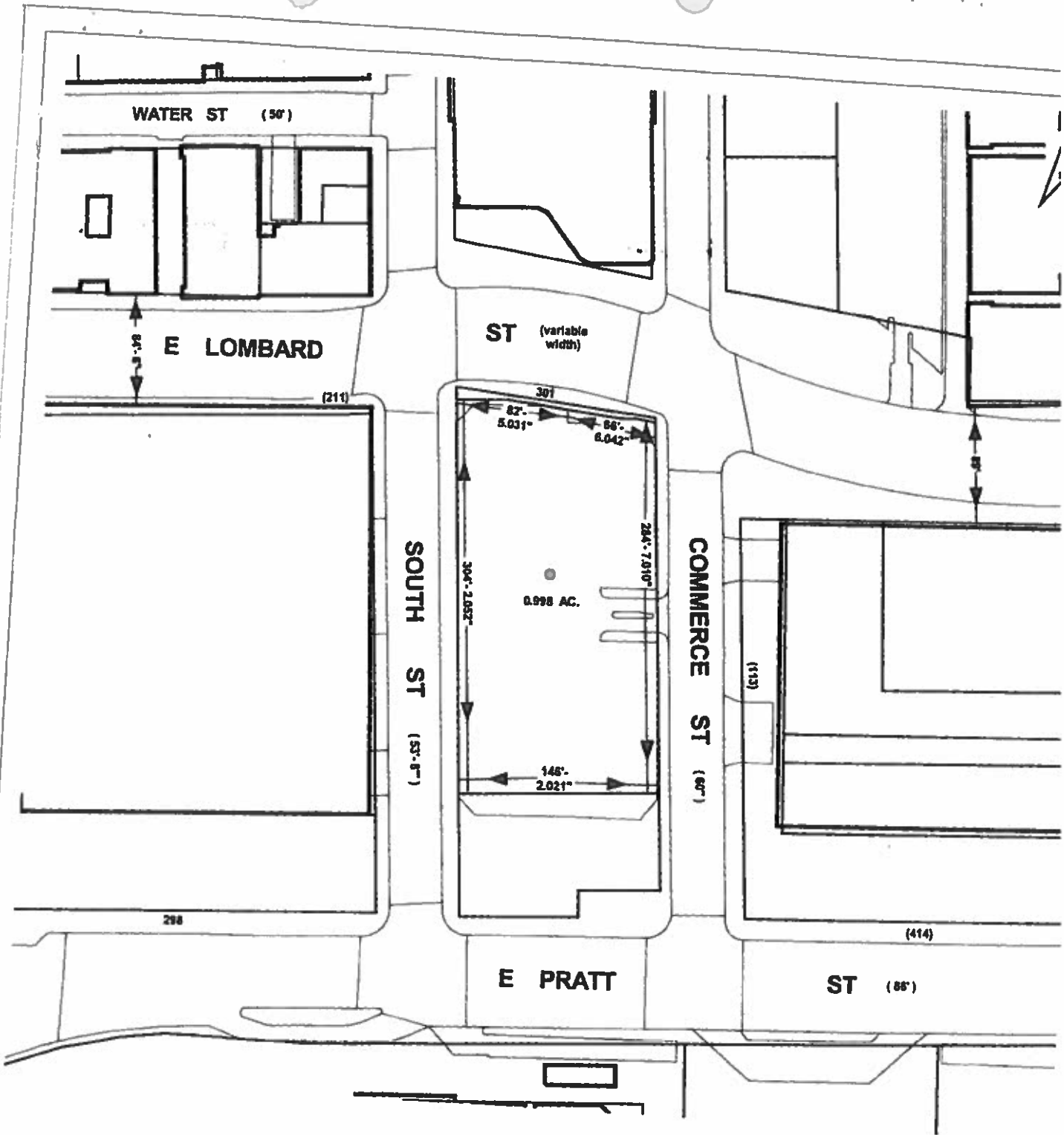
WARD - 4 SECTION - 11 BLOCK - 1381 LOT - 2

MAYOR

PRESIDENT CITY COUNCIL

710





1" = 100'

**301 EAST LOMBARD STREET
A.K.A. 300 EAST PRATT STREET**



ACTION BY THE CITY COUNCIL

JUN 17 2019 20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON July 31, 20 19

COMMITTEE REPORT AS OF August 19, 20 19

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION

Edward Reese
Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

AUG 19 2019 20

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ **SEP 09 2019** 20

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20

WITHDRAWAL _____ 20

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk