

**CITY OF BALTIMORE
COUNCIL BILL 06-0451
(First Reader)**

Introduced by: Councilmember Reisinger

At the request of: Chesapeake Paperboard Centre, LLC, and Key Woodall, LLC

Address: c/o Stanley S. Fine, Esquire, 25 South Charles Street, Suite 2115, Baltimore,
Maryland 21201

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Introduced and read first time: June 5, 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, Department of Transportation

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – Chesapeake Paperboard**

3 FOR the purpose of approving the application of Key Woodall, LLC, which is the owner or
4 contract purchaser of 1500 Woodall Street, 1605 Key Highway, a portion of 1801 Key
5 Highway, and a portion of 1215 East Fort Avenue (collectively, the “Property”) and
6 Chesapeake Paperboard Centre, LLC, which is the developer of the Property, to have the
7 Property designated a Business Planned Unit Development; and approving the Development
8 Plan submitted by the applicant.

9 BY authority of

10 Article - Zoning

11 Title 9, Subtitles 1 and 4

12 Baltimore City Revised Code

13 (Edition 2000)

14 **Recitals**

15 Key Woodall, LLC, is the owner or contract purchaser of the properties known as 1500
16 Woodall Street, 1605 Key Highway, a portion of 1801 Key Highway, and a portion of 1215 East
17 Fort Avenue, consisting of 9.4 acres, more or less, and plans to develop the Property with
18 Chesapeake Paperboard, LLC, for business and residential uses.

19 On May 30, 2006, representatives of the applicant met with the Department of Planning for a
20 preliminary conference, to explain the scope and nature of existing and proposed development
21 on the Property and to institute proceedings to have the Property designated a Business Planned
22 Unit Development.

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

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1 The representatives of the applicant have now applied to the Baltimore City Council for
2 designation of the Property as a Business Planned Unit Development, and they have submitted a
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 application of Key Highway, LLC, and Chesapeake
7 Paperboard Centre, LLC, to designate the properties known as 1500 Woodall Street, 1605 Key
8 Highway, a portion of 1801 Key Highway, and a portion of 1215 East Fort Avenue, consisting of
9 9.4 acres, more or less, as outlined on the accompanying Development Plan entitled
10 “Chesapeake Paperboard”, consisting of Sheet 1, “Existing Conditions Plan”, dated May 31,
11 2006, Sheet 2, “Proposed Conditions Plan”, dated May 31, 2006, Sheet 3, “Conceptual
12 Landscape Plan”, dated May 31, 2006, and Sheet 4, “Conceptual Massing Plan”, dated May 31,
13 2006, to designate the Property a Business Planned Development under Title 9, Subtitles 1 and 4
14 of the Baltimore City Zoning Code.

15 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by Key
16 Highway, LLC, and Chesapeake Paperboard Centre, LLC, is approved.

17 **SECTION 3. AND BE IT FURTHER ORDAINED,** That in accordance with the provisions of Title
18 9, Subtitles 1 and 4, the following uses are permitted within the Planned Unit Development:

19 (a) Uses authorized in Business Districts.

20 Except as provided in paragraph (c) below, all uses specified in §§ 6-306, 6-307, 6-
21 308, and 6-309 of the Zoning Code of Baltimore City as permitted, accessory, or
22 conditional uses in the B-2 Zoning District are specifically authorized as permitted,
23 accessory, and conditional uses (subject to the requirements of Title 14 of the Zoning
24 Code of Baltimore City - Conditional Uses), in the Planned Unit Development.

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

27 Outdoor table service when accessory to a restaurant or any permitted use;
28 Prepared food delivery services - including any operated as an accessory use by a
29 restaurant

30 (c) The following uses are prohibited as principal uses in the Planned Unit Development:

31 Amusement devices located within a shopping center of over 20,000 square feet
32 or a commercial recreation center of over 20,000 square feet;
33 Apartment hotels;
34 Automobile accessory stores - including related repair and installation services;
35 Bingo halls: charitable
36 Bus and transit passenger stations and terminals;
37 Check cashing;
38 Clubs and lodges: private nonprofit;
39 Community correction centers;
40 Convalescent, nursing, and rest homes;
41 Dance halls;
42 Drug stores and pharmacies: drive-in;

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1 Dry cleaning establishments: drive-in;
2 Employment agencies;
3 Exterminator's shops;
4 Firearms sales;
5 Fraternity and sorority houses;
6 Furrier shops - including accessory storage and conditioning of furs;
7 Garages, other than accessory, for storage, repair and serving of motor vehicles
8 not over 1½ tons capacity;
9 Helistops;
10 Homes for the rehabilitation of non-bedridden alcoholics and for the care and
11 custody of homeless persons;
12 Hospitals;
13 Hotels and motels;
14 Launderettes - no more than 4 employees plus 1 owner or manager on the
15 premises;
16 Laundries - no more than 4 employees plus 1 owner or manager on the premises;
17 Marinas: accessory;
18 Marinas: recreational;
19 Marinas: recreation boat launch/tie up;
20 Meeting and banquet halls;
21 Newspaper distribution agencies; for home delivery and retail trade;
22 Parole and probation field offices;
23 Pawnshops;
24 Photographic printing and developing establishments - drive-in;
25 Pool halls and billiard parlors;
26 Poultry- and rabbit-killing establishments;
27 Radio and television antennas that are free-standing or that extend more than 25
28 feet above the building on which they are mounted - but not including
29 microwave antennas (satellite dishes);
30 Restaurants - drive-in;
31 Rooming houses;
32 Schools: commercial;
33 Schools, elementary and secondary;
34 Sewerage pumping station;
35 Substance abuse treatment centers;
36 Taxidermist shops;
37 Tobacco shops;
38 Travel trailers, recreational vehicles, and similar camping equipment: parking or
39 storage;
40 Undertaking establishments and funeral parlors;
41 Union halls; and
42 Water filtration plants, reservoirs, and pumping stations.

43 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the maximum net leasable area within the
44 Planned Unit Development may not exceed the following limitations:

- 45 (a) The office square footage within the Planned Unit Development is limited to 35,000
46 square feet.
- 47 (b) The retail square footage (including restaurants) within the Planned Unit
48 Development is limited to 110,000 square feet.

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1 (c) A maximum of 250 dwelling units is allowed within the Planned Unit Development.

2 **SECTION 5. AND BE IT FURTHER ORDAINED,** That the net leasable area for retail uses
3 allowed within the Planned Unit Development may not exceed the following limitations:

4 The minimum net leasable area for any retail use may not be less than 1,000 square feet.
5 The maximum net leasable area for one retail use may not exceed 55,000 square feet.
6 The maximum net leasable area for each additional retail use may not exceed 13,000
7 square feet.

8 **SECTION 6. AND BE IT FURTHER ORDAINED,** That all plans for the construction of
9 permanent improvements on the Property within the Planned Unit Development are subject to
10 final design approval by the Planning Commission to insure that the plans are consistent with the
11 Development Plan and this Ordinance.

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

15 **SECTION 8. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
16 accompanying Development Plan and in order to give notice to the agencies that administer the
17 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
18 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
19 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
20 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
21 Appeals, the Planning Commission, the Commissioner of Housing and Community
22 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

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