

CITY OF BALTIMORE
ORDINANCE
Council Bill 05-0305

Introduced by: Councilmembers D'Adamo, Kraft, Spector
At the request of: Hale/KSI, LLC
Address: c/o Stanley S. Fine, Esquire, 25 South Charles Street, Suite 2115, Baltimore, Maryland 21201
Telephone: 410-727-6600
Introduced and read first time: December 8, 2005
Assigned to: Land Use and Transportation Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: February 6, 2006

AN ORDINANCE CONCERNING

Planned Unit Development – Designation – Greektown Redevelopment

FOR the purpose of approving the application of Hale/KSI, LLC, which is the fee simple owner or contract purchaser of certain properties known as 820 Oldham Street, 4601 Foster Avenue, 4700 Fait Avenue, 4526 O'Donnell Street, 4600 O'Donnell Street, 4618 O'Donnell Street, 4620 O'Donnell Street, 4622 O'Donnell Street, 4624 O'Donnell Street; and Fait Avenue, LLC, the fee simple owner of the property known as 4500 Fait Avenue; (hereinafter collectively the "Applicant"), together with the adjoining roads, highways, alleys, rights-of-way, and other similar property (collectively, the "Properties"), to have the Properties designated a Residential Planned Unit Development; and approving the Development Plan submitted by the applicant.

By authority of
Article - Zoning
Title 9, Subtitles 1 and 2
Baltimore City Revised Code
(Edition 2000)

Recitals

Hale/KSI, LLC, is the fee simple owner or contract purchaser of certain properties known as 820 Oldham Street, 4601 Foster Avenue, 4700 Fait Avenue, 4526 O'Donnell Street, 4600 O'Donnell Street, 4618 O'Donnell Street, 4620 O'Donnell Street, 4622 O'Donnell Street, 4624 O'Donnell Street; and Fait Avenue, LLC, is the fee simple owner of the property known as 4500 Fait Avenue. Hale/KSI, LLC, plans to develop the Properties for residential and business uses.

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.

1 On November 29, 2005, representatives of the Applicant met with the Department of  
2 Planning for a preliminary conference, to explain the scope and nature of existing and proposed  
3 development on the Properties in order to institute proceedings to have the Properties designated  
4 a Residential Planned Unit Development.

5 The representatives of the Applicant have now applied to the Baltimore City Council for  
6 designation of the Properties as a Residential Planned Unit Development, and they have  
7 submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 2  
8 of the Baltimore City Zoning Code.

9 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
10 Mayor and City Council approves the application of Hale/KSI, LLC, for designation of the area  
11 consisting of the properties known as 820 Oldham Street, 4526 O'Donnell Street, 4600  
12 O'Donnell Street, 4618 O'Donnell Street, 4620 O'Donnell Street, 4622 O'Donnell Street, 4624  
13 O'Donnell Street, 4500 Fait Avenue, 4700 Fait Avenue, and 4601 Foster Avenue, together with  
14 the adjoining roads, highways, alleys, rights-of-way, and similar property consisting of 17.90  
15 acres, more or less, as outlined on the accompanying Development Plan entitled "Greektown  
16 Redevelopment - Planned Unit Development", consisting of Sheet 1, "Existing Conditions",  
17 dated November 28, 2005, ~~and~~ Sheet 2, "Development Plan", dated November 28, 2005, Sheet 3,  
18 "Illustrative Master Plan", dated January 10, 2006, Sheet 4, "Illustrative Site Plan", dated  
19 January 10, 2006, Sheet 5, "Conceptual Landscape Plan", dated January 10, 2006, and Sheet 6,  
20 "Streetscape Guidelines", dated January 10, 2006, as a Residential Planned Unit Development  
21 under Title 9, Subtitles 1 and 2 of the Baltimore City Zoning Code.

22 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Development Plan submitted by the  
23 Applicant, entitled "Greektown Redevelopment", is approved.

24 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the following uses are permitted in  
25 Section A, as depicted on the Development Plan, of the Planned Unit Development:

- 26 (a) all permitted, accessory, and conditional uses as allowed in the R-8 Zoning District;  
27 and
- 28 (b) a maximum of ~~1,300~~ 1,085 dwelling units.

29 **SECTION 4. AND BE IT FURTHER ORDAINED,** That ~~the following uses~~ all permitted and  
30 conditional uses of O-R, B-1, and B-2 districts are permitted in Section B of the Planned Unit  
31 Development, as depicted on the Development Plan, with the exception of:

32 ~~Automatic teller machines; bakeries; banks; barber shops; beauty shops; coffee shops;~~  
33 ~~delicatessens; drive-ins - including pick up drives with window service - accessory to a~~  
34 ~~bakery, coffee shop, delicatessen, or restaurant; drug stores and pharmacies; dry cleaners~~  
35 ~~and laundries - receiving station, processing done elsewhere; food stores and grocery~~  
36 ~~stores; offices - business, governmental and professional; outdoor table service accessory~~  
37 ~~to a bakery, coffee shop, delicatessen, or restaurant; prepared food delivery services; and~~  
38 ~~restaurants.~~

39 Dwellings; apartment hotels; rooming houses; foster homes; fraternity and sorority  
40 houses; convalescent, nursing, and rest homes; housing for the elderly; homes for non-  
41 bedridden alcoholics or homeless persons.

1       **SECTION 5. AND BE IT FURTHER ORDAINED,** That the aggregate gross floor area for all  
2 buildings and uses in the Planned Unit Development may not exceed 1,457,636 square feet.

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

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

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

18       **SECTION 9. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
19 after the date it is enacted.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City