

**CITY OF BALTIMORE
COUNCIL BILL 05-0224
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Department of Housing and Community Development)
Introduced and read first time: July 11, 2005
Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Urban Renewal – Fells Point –**
3 **Amendment __**

4 FOR the purpose of amending the Urban Renewal Plan for Fells Point to provide for the sale and
5 redevelopment of the Recreation Pier at 1715 Thames Street, create a new disposition lot,
6 amend Exhibit 1 to reflect the change in land use, upon approval by separate ordinance, for
7 1715 Thames Street, amend Exhibit 3 to reflect the creation of the new disposition lot, and
8 amend Exhibit 4 to reflect the change in zoning, upon approval by separate ordinance, for
9 1715 Thames Street; waiving certain content and procedural requirements; making the
10 provisions of this Ordinance severable; providing for the application of this Ordinance in
11 conjunction with certain other ordinances; and providing for a special effective date.

12 By authority of
13 Article 13 - Housing and Urban Renewal
14 Section 2-6
15 Baltimore City Code
16 (Edition 2000)

17 **Recitals**

18 The Urban Renewal Plan for Fells Point was originally approved by the Mayor and City
19 Council of Baltimore by Ordinance 75-999 and last amended by Ordinance 02-451.

20 An amendment to the Urban Renewal Plan for Fells Point is necessary to create a disposition
21 lot to provide for the sale and redevelopment of the property known as the Recreation Pier at
22 1715 Thames Street, propose a land use change, propose a zoning district change, and revise
23 exhibits and appendices to reflect the changes in the Plan.

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

1 Under Article 13, § 2-6 of the Baltimore City Code, no substantial change may be made in
2 any approved renewal plan unless the change is approved in the same manner as that required for
3 the approval of a renewal plan.

4 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
5 following changes in the Urban Renewal Plan for Fells Point are approved:

6 (1) In the Plan, add B.2.b.(b)iv. to read as follows:

7 IV. DISPOSITION LOT 22

8 DISPOSITION LOT 22 IS BEING CREATED FOR THE SALE AND REDEVELOPMENT OF 1715
9 THAMES STREET.

10 THE MAYOR AND CITY COUNCIL SHALL REQUIRE THE REDEVELOPER OF DISPOSITION
11 LOT 22 TO SUBMIT PLANS FOR A HOTEL AND RESIDENTIAL USE IN THE CONTEXT OF A
12 HOTEL, OFFICE SPACE, RETAIL, RESTAURANT AND BAR WITH OUTDOOR SEATING,
13 MARINA, MARITIME SERVICES, AND PARKING ON THE GROUND FLOOR COMPLEX TO THE
14 BALTIMORE CITY DEPARTMENT OF PLANNING, HEREBY WAIVING REQUIREMENTS
15 THAT SUCH PLANS BE SUBMITTED TO THE BMZA.

16 DISPOSITION LOT 22 SHALL BE LIMITED TO A HOTEL AND RESIDENTIAL USE IN THE
17 CONTEXT OF A HOTEL, OFFICE SPACE, RETAIL, RESTAURANT AND BAR WITH OUTDOOR
18 SEATING, MARINA, MARITIME SERVICES, AND PARKING ON THE GROUND FLOOR.

19 THIS PROJECT IS BEING REDEVELOPED IN ACCORDANCE WITH THE UNITED STATES
20 DEPARTMENT OF THE INTERIOR’S STANDARDS FOR REHABILITATION OF HISTORIC
21 PROPERTIES. ACCORDINGLY, DISPOSITION LOT 22 WILL BE EXEMPT FROM THE
22 PROPERTY REHABILITATION AND DEVELOPMENT STANDARDS AS OUTLINED IN
23 APPENDIX A OF THIS PLAN, SUBJECT TO COMPLIANCE WITH THE DEPARTMENT OF THE
24 INTERIOR’S STANDARDS AND SUBJECT TO APPROVAL OF THE BALTIMORE CITY
25 DEPARTMENT OF PLANNING.

26 DISPOSITION LOT 22 SHALL BE EXEMPT FROM THE WATERFRONT AREA CONTROLS, AS
27 SPECIFIED IN APPENDIX C OF THIS PLAN.

28 DUE TO SAFETY CONFLICTS BETWEEN PEDESTRIANS AND MARITIME SERVICES, A
29 PEDESTRIAN WALKWAY WILL BE CREATED THROUGH THE INTERIOR OF THE BUILDING
30 TO PROVIDE PUBLIC ACCESS TO THE OPEN SPACE AT THE END OF THE PIER IN LIEU OF A
31 PUBLIC PROMENADE AROUND THE EXTERIOR OF THE BUILDING.

32 DISPOSITION LOT 22 SHALL BE EXEMPT FROM THE OFF-STREET PARKING
33 REQUIREMENTS FOR HOTELS, AS SPECIFIED IN APPENDIX A, SECTION C.9.A. OF THIS
34 PLAN.

35 THE BUILDING HEIGHT WILL NOT EXCEED 40 FEET, EXCLUSIVE OF MECHANICAL OR
36 COMMUNICATIONS EQUIPMENT.

37 (2) Amend Exhibit 1, “Land Use Plan”, to add the Mixed Use land use category for the
38 property known as 1715 Thames Street so that the property may be used for both
39 Maritime Services and Mixed Uses.

1 (3) Amend Exhibit 3, "Land Disposition", to show new Disposition Lot 22.

2 (4) Amend Exhibit 4, "Zoning Districts", for the property known as 1715 Thames Street,
3 from the M-3 Zoning District to the B-2-4 Zoning District.

4 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Urban Renewal Plan for Fells Point,
5 as amended by this Ordinance and identified as "Urban Renewal Plan, Fells Point, revised to
6 include Amendment __, dated July 11, 2005", is approved. The Department of Planning shall
7 file a copy of the amended Urban Renewal Plan with the Department of Legislative Reference as
8 a permanent public record, available for public inspection and information.

9 **SECTION 3. AND BE IT FURTHER ORDAINED**, That if the amended Urban Renewal Plan
10 approved by this Ordinance in any way fails to meet the statutory requirements for the content of
11 a renewal plan or for the procedures for the preparation, adoption, and approval of a renewal
12 plan, those requirements are waived and the amended Urban Renewal Plan approved by this
13 Ordinance is exempted from them.

14 **SECTION 4. AND BE IT FURTHER ORDAINED**, That if any provision of this Ordinance or the
15 application of this Ordinance to any person or circumstance is held invalid for any reason, the
16 invalidity does not affect any other provision or any other application of this Ordinance, and for
17 this purpose the provisions of this Ordinance are declared severable.

18 **SECTION 5. AND BE IT FURTHER ORDAINED**, That if a provision of this Ordinance concerns
19 the same subject as a provision of any zoning, building, electrical, plumbing, health, fire, or
20 safety law or regulation, the applicable provisions shall be construed to give effect to each.
21 However, if the provisions are found to be in irreconcilable conflict, the one that establishes the
22 higher standard for the protection of the public health and safety prevails. If a provision of this
23 Ordinance is found to be in conflict with an existing provision of any other law or regulation that
24 establishes a lower standard for the protection of the public health and safety, the provision of
25 this Ordinance prevails and the other conflicting provision is repealed to the extent of the
26 conflict.

27 **SECTION 6. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date it
28 is enacted.