

**CITY OF BALTIMORE
COUNCIL BILL 08-0165
(First Reader)**

Introduced by: Councilmembers Kraft, Branch
At the request of: Capital Development, 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: July 21, 2008

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Amendment –**
3 **1950 East Fayette Street, 1951 East Fayette Street, and**
4 **1921-1939 Orleans Street**

5 FOR the purpose of approving certain amendments to the Planned Unit Development for 1950
6 East Fayette Street, 1951 East Fayette Street, and 1921-1939 Orleans Street.

7 By authority of

8 Article - Zoning
9 Title 9, Subtitles 1 and 2
10 Baltimore City Revised Code
11 (Edition 2000)

12 **Recitals**

13 By Ordinance 04-859, the Mayor and City Council approved the application of Capital
14 Development, LLC, and Dell House, LLC, to have certain property known as 1950 East Fayette
15 Street, 1951 East Fayette Street, and 1921-1939 Orleans Street, designated as a Residential
16 Planned Unit Development and approved the Development Plan submitted by the applicant.

17 Capital Development, LLC, and Dell House, LLC, the owners of 1950 East Fayette Street,
18 1951 East Fayette Street, and 1921-1939 Orleans Street, wish to amend the Development Plan, as
19 previously approved by the Mayor and City Council, to modify the overall retail square footage
20 permitted in the Planned Unit Development.

21 On July 14, 2008, representatives of Capital Development, LLC, and Dell House, LLC, met
22 with the Department of Planning for a preliminary conference to explain the scope and nature of
23 the proposed amendment to the Development Plan.

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

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1 The representatives of Capital Development, LLC, and Dell House, LLC, have now applied
2 to the Baltimore City Council for approval of this amendment, and they have submitted the
3 amendment to the Development Plan intended to satisfy the requirements of Title 9, Subtitles 1
4 and 2 of the Baltimore City Zoning Code.

5 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
6 Section 3 of Ordinance 04-859 is amended to read as follows:

7 SECTION 3. AND BE IT FURTHER ORDAINED, That in accordance with the
8 provisions of Title 9, Subtitles 1 and 2, the following uses are allowed within the
9 Planned Unit Development:

10 ...

11 (c) In addition, the following uses are permitted on all floors of all
12 buildings within Area C of the Planned Unit Development:

13 artisans' and craft work; computer centers; day nurseries
14 and nursery schools; HOTELS; medical and dental clinics;
15 offices - business, governmental, and professional;
16 philanthropic and charitable institutions; physical culture
17 and health services - gymnasiums, reducing salons, and
18 public baths; radio and television antennas and towers no
19 more than 25 feet above the building on which they are
20 mounted - but not including microwave antennas;
21 secretarial and telephone answering services; travel
22 bureaus; and warehousing and storage.

23 ...

24 (e) Overall retail square footage in the Planned Unit Development
25 area is limited to [60,000] 120,000 square feet, with a limit of
26 [12,000] 30,000 square feet per retail establishment, PROVIDED,
27 HOWEVER, THAT NO FOOD STORE OR GROCERY STORE IN THE
28 PLANNED UNIT DEVELOPMENT SHALL EXCEED 20,000 SQUARE
29 FEET.

30 ...

31 (i) ANY HOTEL CONSTRUCTED IN AREA C OF THE PLANNED UNIT DEVELOPMENT
32 WILL COMPLY WITH THE REQUIREMENTS OF ORDINANCE 07-490, REGARDLESS
33 OF THE EFFECTIVE DATES THEREIN.

34 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
35 after the date it is enacted.