

**CITY OF BALTIMORE
COUNCIL BILL 06-0373
(First Reader)**

Introduced by: Councilmembers Reisinger, Young
At the request of: Waterview Avenue, LLC
Address: c/o Martin F. Cadogan, Esquire, 1010 Hull Street, Suite 300, Baltimore, Maryland
21230
Telephone: 410-296-8500
Introduced and read first time: April 4, 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 – Amendment 1 – Waterview**

3 FOR the purpose of approving a certain amendment to the Development Plan of the Waterview
4 Planned Unit Development.

5 BY authority of

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

10 **Recitals**

11 By Ordinance 04-835, the Mayor and City Council approved the application of Waterview
12 Avenue, LLC, to have certain property known as 3100 Waterview Avenue and Ward 25, Section
13 05, Block 7610, Lot 019, consisting of 8.8 acres, more or less, designated as a Residential
14 Planned Unit Development and approved the Development Plan submitted by the applicant.

15 The owner wishes to amend the Development Plan, as previously approved by the Mayor and
16 City Council, to modify the parking space requirement.

17 On November 16, 2005, representatives of the applicant met with the Department of
18 Planning for a preliminary conference to explain the scope and nature of the proposed
19 amendment to the Development Plan.

20 The representatives of the applicant have now applied to the Baltimore City Council for
21 approval of this amendment, and they have submitted an amendment to the Development Plan
22 intended to satisfy the requirements of Title 9, Subtitles 1 and 2 of the Baltimore City Zoning
23 Code.

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

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1 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
2 Section 3(d) of Ordinance 04-835 is amended to read as follows:

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

6 (d) parking must be at least [2 spaces] 1 SPACE per dwelling unit.

7 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the Mayor and City Council approves the
8 amendment to the Development Plan submitted by the Developer.

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

13 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the Planning Department may determine
14 what constitutes minor or major modifications to the Plan. Minor modifications require approval
15 by the Planning Commission. Major modifications require approval by Ordinance.

16 **SECTION 5. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
17 accompanying amended Development Plan and in order to give notice to the agencies that
18 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the
19 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor
20 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the
21 Director of Finance then shall transmit a copy of this Ordinance and the amended Development
22 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the
23 Commissioner of Housing and Community Development, the Supervisor of Assessments for
24 Baltimore City, and the Zoning Administrator.

25 **SECTION 6. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
26 after the date it is enacted.