

**CITY OF BALTIMORE
COUNCIL BILL 07-0765
(First Reader)**

Introduced by: Councilmember Kraft

At the request of: Eastside Site LLC and BTR Capital Group

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Introduced and read first time: August 13, 2007

Assigned to: Land Use and Transportation Committee

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

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Planned Unit Development – Designation – 6541 Eastern Avenue**

3 FOR the purpose of approving the application of Eastside Site LLC, owner of certain property
4 known as 6541 Eastern Avenue and contract purchaser of an adjacent parcel of land
5 (collectively, the “Property”), to have that Property designated a Business Planned Unit
6 Development; and approving the Development Plan submitted by the applicant.

7 BY authority of

8 Article - Zoning

9 Title 9, Subtitles 1 and 4

10 Baltimore City Revised Code

11 (Edition 2000)

12 **Recitals**

13 Eastside Site LLC, is the owner of property known as 6541 Eastern Avenue and contract
14 purchaser of an adjacent parcel of property (collectively, the “Property”). BTR Capital Group
15 plans to develop the Property, consisting of 6.14 acres, more or less, for business uses.

16 On June 20, 2007, representatives of the applicant met with the Department of Planning for a
17 preliminary conference, to explain the scope and nature of existing and proposed development
18 on the property and to institute proceedings to have the Property designated a Business Planned
19 Unit Development.

20 The representatives of the applicant have now applied to the Baltimore City Council for
21 designation of the Property as a Business Planned Unit Development, and they have submitted a
22 Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the
23 Baltimore City Zoning Code.

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

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SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Mayor and City Council approves the application of Eastside Site LLC, owner of the property known as 6541 Eastern Avenue and contract purchaser of an adjacent parcel of land (collectively, the “Property”), consisting of 6.14 acres, more or less (including the to-be-acquired adjacent property), as outlined on the accompanying Development Plan entitled “6541 Eastern Avenue”, to designate the Property a Business Planned Unit Development under Title 9, Subtitles 1 and 4 of the Baltimore City Zoning Code.

SECTION 2. AND BE IT FURTHER ORDAINED, That the Development Plan entitled “6541 Eastern Avenue”, consisting of Sheet 1, “Existing Conditions”, dated July 31, 2007; Sheet 2, “Proposed Conditions Plan”, dated July 31, 2007; and Sheet 3, “Landscape Plan”, dated July 31, 2007, is approved.

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

(a) all permitted and conditional uses of B-1, B-2, and B-3 Districts are permitted in the Planned Unit Development, as depicted on the Development Plan, with the exception of the uses provided in paragraph (c) below.

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

Open off-street parking areas, other than accessory, for the parking of 4 or more motor vehicles.

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

Amusement arcades as provided in § 6-308(2) of the Baltimore City Zoning Code
Amusement devices as provided in § 6-207(2) of the Baltimore City Zoning Code
Amusement devices located within a shopping center of over 20,000 square feet
or a commercial recreation center of over 20,000 square feet

Animal facilities as provided in § 6-207(3) of the Baltimore City Zoning Code
Animal hospitals that are odor-proofed and sound-proofed

Athletic fields

Automobile accessory stores - including related repair and installation services

Bingo halls: charitable

Blood donor centers

Bus and transit passenger stations and terminals

Check cashing

Clinics: health care

Clubs and lodges: private and nonprofit

Community correction centers

Dance halls

Dry cleaning establishments: drive-in

Dry cleaning establishments - no more than 4 employees plus 1 owner or manager
on the premises

Employment agencies

Exterminator’s shops

Firearm sales, ammunition sales, or both as provided in § 6-308(11) of the Baltimore
City Zoning Code

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1 Foster homes for children
2 Fraternity and sorority houses
3 Furrier shops - including accessory storage and conditioning of furs
4 Helistops
5 Homes for the rehabilitation of non-bedridden alcoholics and for the care and
6 custody of homeless persons
7 Hospitals
8 Launderettes - no more than 2 employees plus 1 owner or manager on the
9 premises
10 Laundries: hand - no more than 2 employees plus 1 owner or manager on the
11 premises
12 Marinas: accessory
13 Marinas: recreational
14 Marinas: recreational boat launch/tie up
15 Multi-purpose neighborhood centers
16 Novelty shops
17 Parole and Probation field offices
18 Pawnshops
19 Pool halls and billiard parlors
20 Poultry - and rabbit-killing establishments
21 Printing establishments - no more than 10 employees plus 1 owner or manager
22 the premises
23 Public utility service centers
24 Public utility uses as provided in § 6-208(12)
25 Recreation buildings and community centers
26 Schools: elementary and secondary
27 Schools: trade - other than industrial
28 Second-hand stores
29 Sewerage pumping station
30 Skating rinks
31 Structures on piers, other than water-dependent facilities
32 Taxidermist shops
33 Telephone exchanges
34 Trading stamp redemption centers
35 Travel trailers, recreational vehicles, and similar camping equipment:
36 parking or storage
37 Undertaking establishments and funeral parlors
38 Union halls
39 Water filtration plants, reservoirs, and pumping stations.

40 (d) The following uses are conditional uses that require approval by Ordinance:

41 Liquor stores: package goods
42 Taverns - but not including live entertainment and dancing.

43 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the off-street parking requirements for the
44 Planned Unit Development are as follows: (1) retail including restaurants - 1 space per 600
45 square feet in excess of 4,000 square feet of retail use; and (2) all other uses - as required by the
46 underlying zoning.

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

5 **SECTION 6. AND BE IT FURTHER ORDAINED,** That the Planning Department may decide
6 what constitutes minor or major modifications to the Plan. Minor modifications require approval
7 by the Planning Commission. Major modifications require approval by Ordinance.

8 **SECTION 7. AND BE IT FURTHER ORDAINED,** That as evidence of the authenticity of the
9 accompanying Development Plan and in order to give notice to the agencies that administer the
10 City Zoning Ordinance: (i) when the City Council passes this Ordinance, the President of the
11 City Council shall sign the Development Plan; (ii) when the Mayor approves this Ordinance, the
12 Mayor shall sign the Development Plan; and (iii) the Director of Finance then shall transmit a
13 copy of this Ordinance and the Development Plan to the Board of Municipal and Zoning
14 Appeals, the Planning Commission, the Commissioner of Housing and Community
15 Development, the Supervisor of Assessments for Baltimore City, and the Zoning Administrator.

16 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
17 after the date it is enacted.