

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 15-0553**

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Introduced by: Councilmember Kraft

At the request of: 4701 O'Donnell Street, LLC

Address: c/o Caroline Hecker, Esquire, Rosenberg | Martin | Greenberg, LLP, 25 South Charles Street, Suite 2115, Baltimore, Maryland 21201

Telephone: 410-727-6600

Introduced and read first time: July 20, 2015

Assigned to: Land Use and Transportation Committee

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Committee Report: Favorable with amendments

Council action: Adopted

Read second time: December 10, 2015

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**AN ORDINANCE CONCERNING**

**Planned Unit Development – Designation – 4701 O'Donnell Street**

FOR the purpose of approving the application of 4701 O'Donnell Street, LLC, owner of certain property located at 4701 O'Donnell Street, to have that property designated an Industrial Planned Unit Development; and approving the Development Plan submitted by the applicant.

BY authority of

Article - Zoning

Title 9, Subtitles 1 and 5

Baltimore City Revised Code

(Edition 2000)

**Recitals**

4701 O'Donnell Street, LLC, is the owner of certain real property located at 4701 O'Donnell Street, consisting of 6.588 acres, more or less.

The owner proposes to redevelop the property for retail and industrial uses.

On April 27, 2015, representatives of the applicant met with the Department of Planning for a preliminary conference, to explain the scope and nature of existing and proposed development on the property and to institute proceedings to have the property designated an Industrial Planned Unit Development.

The representatives of the applicant have now applied to the Baltimore City Council for designation of the property as an Industrial Planned Unit Development, and they have submitted a Development Plan intended to satisfy the requirements of Title 9, Subtitles 1 and 5 of the Baltimore City Zoning Code.

**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.

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1       **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the  
2 Mayor and City Council approves the application of 4701 O'Donnell Street, LLC, owner of the  
3 property located at 4701 O'Donnell Street, consisting of 6.588 acres, more or less, as outlined on  
4 the accompanying Development Plan entitled "4701 O'Donnell Street", to designate the property  
5 an Industrial Planned Unit Development under Title 9, Subtitles 1 and 5 of the Baltimore City  
6 Zoning Code.

7       **SECTION 2. AND BE IT FURTHER ORDAINED**, That the Development Plan submitted by the  
8 applicant, consisting of Sheet 1, "Existing Conditions", dated July 10, 2015; Sheet 2, "Proposed  
9 Conditions", dated July 10, 2015; Sheet 3, "Landscape Plan", dated June 17, 2015; and Sheet 4,  
10 "Landscape Notes and Details", dated June 17, 2015, is approved.

11       **SECTION 3. AND BE IT FURTHER ORDAINED**, That in accordance with the provisions of Title  
12 9, Subtitles 1 and 5, the following uses are permitted within the Planned Unit Development:

- 13           (a) all permitted, accessory, and conditional uses as allowed in the ~~M-2~~ M-3 Zoning  
14           District
- 15           (b) gasoline service station
- 16           (c) offices: business and professional, other than accessory
- 17           ~~(d) personal services establishment~~
- 18           (d) ~~(e)~~ restaurant: drive-in - including pick-up drives with window service
- 19           ~~(f) retail goods establishment~~

20       **SECTION 4. AND BE IT FURTHER ORDAINED**, That when reviewing plans for final design  
21 approval, the Planning Commission may take into consideration proposed uses that have  
22 different peak parking characteristics that complement each other, so that the parking places  
23 provided may reasonably be shared by proposed uses, and an excess of parking is not provided by  
24 strict cumulating of the parking requirements of the Zoning Code.

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

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

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

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1       **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
2 after the date it is enacted.

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

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

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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

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

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Mayor, Baltimore City