CITY OF BALTIMORE ORDINANCE Council Bill 16-0695

Introduced by: Councilmember Mosby At the request of: New Shiloh Baptist Church, Incorporated Address: c/o Michael C. Bainum, Senior Development Manager, Enterprise Homes, Inc., 312 North Martin Luther King, Jr., Boulevard, Suite 300, Baltimore, Maryland 21201 Telephone: 410-230-2128 Introduced and read first time: June 13, 2016 <u>Assigned to: Land Use and Transportation Committee</u> Committee Report: Favorable Council action: Adopted Read second time: October 20, 2016

AN ORDINANCE CONCERNING

Planned Unit Development – Amendment 1 – New Shiloh Baptist Church

FOR the purpose of approving certain amendments to the Development Plan of the New Shiloh
 Baptist Church Planned Unit Development; and conforming a reference.

- 4 BY authority of
- 5 Article Zoning
- 6 Title 9, Subtitles 1 and 4
- 7 Baltimore City Revised Code
- 8 (Edition 2000)
- 9

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Recitals

By Ordinance 99-533, the Mayor and City Council (i) approved the application of New
Shiloh Baptist Church, Incorporated, to have certain properties located at 2100 North Monroe
Street, 1915-1923 Windsor Avenue, 1910 Windsor Avenue, 1930 Windsor Avenue, 2200-2212
North Monroe Street, 2300 North Monroe Street, and 2030 Elgin Avenue, consisting of 8.194

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 acres, more or less, designated as a Business Planned Unit Development and (ii) approved the
- 15 Development Plan submitted by the applicant.
- 16 The applicant wishes to amend the Development Plan, as previously approved by the Mayor 17 and City Council, to allow multi-family residential dwellings, to allow the construction and use
- 18 of a multi-family apartment building, consisting of 73 units, and to make any other
- 19 modifications, as necessary to accomplish these objectives.
- 20 On May 4, 2016, representatives of the applicant met with the Department of Planning for a 21 preliminary conference to explain the scope and nature of the proposed amendments to the 22 Development Plan

22 Development Plan.

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law. <u>Underlining</u> 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 The representatives of the applicant have now applied to the Baltimore City Council for 2 approval of these amendments, and they have submitted amendments to the Development Plan 3 intended to satisfy the requirements of Title 9, Subtitles 1 and 4 of the Baltimore City Zoning 4 Code.

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
Mayor and City Council approves the amendments to the Development Plan submitted by the
Developer, as attached to and made part of this Ordinance, including Sheet 1, "Existing
Conditions Plan", dated May 16, 2016; Sheet 2, "Proposed Conditions Plan", dated May 16,
2016; and Sheet 3, "Landscape Plan", dated May 16, 2016, all of which supersede the exhibit
sheets referenced in Section 1 of the Planned Unit Development's enabling Ordinance.

11 SECTION 2. AND BE IT FURTHER ORDAINED, That Section 3(a) of Ordinance 99-533 is 12 amended to read as follows:

SECTION 3. AND BE IT FURTHER ORDAINED, That the following uses are
allowed in the Planned Unit Development:

15 (a) only the following uses currently permitted in a B-3 Zoning District [under Article 30, Chapter 6,] of the Baltimore City 16 ZONING Code as of the effective date of this Ordinance (all 17 retail uses shall be confined to the first floor of 1930 Windsor 18 19 Avenue, where each individual retail use may not exceed 1,250 20 square feet of space, and confined to the first floor of 2200-2212 North Monroe Street, where each individual retail use 21 may not exceed 1,500 square feet of space): antique shops; art 22 and school supply stores; art needlework shops; automatic 23 banking terminals; bakeries - including the sale of bakery 24 25 products to restaurants, hotels, clubs, and other similar establishments; banks and building and loan associations; 26 bicycle sales and repair stores; blueprinting and photostating 27 establishments; book and magazine stores and similar 28 29 establishments (Class A); business and office machine sales, rental, and service; camera and photographic supply stores; 30 candy and ice cream stores; carry out food shops; catering 31 32 establishments, food; coin and philatelic stores; communications systems - sales and service; computer centers; 33 34 data processing service; day nurseries, group day care centers, and nursery schools; drug stores and pharmacies (excluding the 35 36 sale of alcoholic beverages and tobacco products); dry cleaning and laundry receiving stations - processing done elsewhere; 37 DWELLINGS - MULTI-FAMILY; employment agencies; financial 38 institutions; florist shops; food commissaries; garden supply, 39 tool, and seed stores; gift and card shops; hobby shops; jewelry 40 41 stores - including watch repair: laboratories - medical and dental; libraries and art galleries; medical and dental clinics; 42 43 multi-purpose neighborhood centers; musical instrument sales and repair; novelty shops; offices - business, governmental, and 44 professional - but not including sales and bulk storage or 45 merchandise on the premises; office supply stores; optician 46

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1	sales; orthopedic and medical appliance stores; parks and
2	playgrounds; philanthropic and charitable institutions;
3	photocopying service; photographers; photographic printing
4	and developing establishments; physical culture and health
5	services -gymnasiums (but not reducing salons or public baths);
6	printing and publishing establishments - not more than 10
7	employees on the premises in addition to one owner or
8	manager; radio and television stations and studios; recording
9	studios; recreation buildings and community centers; religious
10	institutions (churches, temples, synagogues, convents,
11	seminaries, and monasteries); restaurants and lunch rooms
12	(excluding live entertainment, dancing, and the sale and use of
13	alcoholic beverages); schools - elementary and secondary;
14	schools and studios - music, dance and business; secretarial and
15	telephone answering services; shoe and hat repair stores;
16	sporting and athletic goods stores; stationary stores; tailor or
17	dressmaking shops, for custom work or repairs; toy stores;
18	trade schools (including automobile repair and service trade
19	schools); travel bureaus; variety stores; wearing apparel shops;
20	accessory radio and television antennas, but not including
21	microwave antennas (satellite dishes), and towers when less
22	than 25 feet above the building on which they are mounted;
23	accessory mounted microwave antennas (satellite dishes) when
24	4 feet or less in diameter if constructed on solid material and
25	projecting 6 feet or less from the building on which they are
26	mounted or 6 feet or less in diameter if constructed of
27	expanded aluminum mesh or wire screen and projecting 8 feet
28	or less from the building on which they are mounted, and
29	provided that the dish is attached to the rear half of the roof of
30	the principal building at least 5 feet beyond the center line of
31	the roof; and accessory microwave antennas (satellite dishes)
32	not exceeding 12 feet in diameter and located on the premises
32	
	of an elementary school, junior and senior high school, college,
34	university, library, church, temple, synagogue, seminary,
35	medical facility, or when located on the premises of housing for
36	the elderly or nursing home; and
37	

38 SECTION 3. AND BE IT FURTHER ORDAINED, That all plans for the construction of permanent 39 improvements on the property are subject to final design approval by the Planning Commission 40 to insure that the plans are consistent with the Development Plan and this Ordinance.

41 **SECTION 4. AND BE IT FURTHER ORDAINED**, That as evidence of the authenticity of the 42 accompanying amended Development Plan and in order to give notice to the agencies that 43 administer the City Zoning Ordinance: (i) when the City Council passes this Ordinance, the 44 President of the City Council shall sign the amended Development Plan; (ii) when the Mayor 45 approves this Ordinance, the Mayor shall sign the amended Development Plan; and (iii) the 46 Director of Finance then shall transmit a copy of this Ordinance and the amended Development 47 Plan to the Board of Municipal and Zoning Appeals, the Planning Commission, the

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- 1 Commissioner of Housing and Community Development, the Supervisor of Assessments for
- 2 Baltimore City, and the Zoning Administrator.

SECTION 5. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
 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____

Mayor, Baltimore City